

MESQUITE POLICE DEPARTMENT  
P. O. BOX 850137  
MESQUITE, TX 75185-0137

**OPEN RECORDS INVOICE LETTER**

August 5, 2019

MuckRock News  
Samuel Sinyangwe  
DEPT MR 77207  
411A Highland Ave.  
Somerville, MA 02144-2516

Dear Mr. Sinyangwe:

This letter is in response to your public information request received on July 12, 2019 to the City of Mesquite Police Department for records – see attached copy of your request. All records found responsive are attached with non-public information removed, except for records submitted to the Attorney General for ruling.

Under the current City of Mesquite Charge Policy and Office of the Attorney General's Rules for Charges:

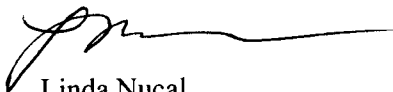
• 1 Hour of labor @ \$15.00 per hour	\$ 15.00
• Overhead charge (20% of labor charge)	3.00
• Copies @ \$0.10 per page	23.70
• 1 blank CD @ \$1.00	1.00
• 2 blank DVD @ \$3.00	6.00
• Mailing fee	3.00
<b>Total due:</b>	<b>\$ 51.70</b>

**Please send a copy of this letter with a check or money order made payable to: "City of Mesquite." Please address the envelope to City of Mesquite, Attn: Linda Nucal, Police Records, P. O. Box 850137, Mesquite, TX 75185-0137. If you prefer to send your check via overnight delivery, the physical address is 777 North Galloway Ave., Mesquite, TX 75149. Please pay total amount immediately.**

If you have any questions, please call me at 972-216-6643. Thank you.

Sincerely,

Charles M. Cato  
Chief of Police



Linda Nucal  
Police Records Clerk  
Direct: 972-216-6643  
Fax: 972-216-6222

CC:ln  
Enclosures



The Professional Police Officer  
With Integrity and Honor He Serves  
That Men May Know Justice, Equality,  
And Freedom Under The Law

August 5, 2019

MuckRock News  
Samuel Sinyangwe  
DEPT MR 77207  
411A Highland Ave.  
Somerville, MA 02144-2516

Dear Mr. Sinyangwe:

Your public information request received on July 12, 2019 to the City of Mesquite Police Department has been processed and is/are attached with non-public information removed except for records submitted to the Attorney General for ruling.

The record(s) you requested contains information that relates to:

- a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country; or
- a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document; and/or
- a living person's social security number

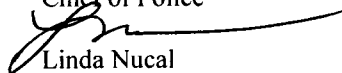
This information is confidential under sections 552.130 and/or 552.147 of the Texas Government Code, hereinafter referred to as the Public Information Act. Our office is prohibited by law from releasing them. Therefore, we have removed this information from the enclosed record(s) we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, the Public Information Act allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this specific information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that if we have indicated we are withholding any other information in addition to the specific categories of information listed above that are confidential under sections 552.130 and/or 552.147, it was done in compliance with a prior determination the City obtained in accordance with the terms of the Public Information Act.

Sincerely:

Charles M. Cato  
Chief of Police



Linda Nucal  
Police Records Clerk  
Direct: 972-216-6643

CC:ln  
Enclosures

How to appeal the withholding of information under Gov't Code sections 552.130 and/or 552.147

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail or fax to the Attorney General at:

Open Records Division  
P.O. Box 12548  
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

**Chelsea M. Watson**

---

**From:** Open Records Request  
**Sent:** **RECEIVED** Friday, July 12, 2019 10:42 AM  
**To:** Chelsea M. Watson; Linda Nucal  
**Cc:** **JUL 12 2019** James Harrison  
**Subject:** **POLICE RECORDS** FW: [External] Texas Public Information Act Request: Texas police data (Mesquite Police  
**CITY OF MESQUITE** Department)

Please find attached open records request and confirm receipt.

Thanks, Keely

**From:** 77207-74678195@requests.muckrock.com <77207-74678195@requests.muckrock.com>  
**Sent:** Friday, July 12, 2019 10:22 AM  
**To:** Open Records Request <openrecords@cityofmesquite.com>  
**Subject:** [External] Texas Public Information Act Request: Texas police data (Mesquite Police Department)

7/12 Emailed  
Faaborg

Mesquite Police Department  
Texas Public Information Act Office  
P.O. Box 850137  
Mesquite, TX 75185-0137

July 12, 2019

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

1. The total number of police use of force incidents, broken down by type of force used, between 2013-2018 (separated by year).
2. The total number of people that police used force against, between 2013-2018 (separated by year).
3. A copy of all complaints reported by civilians against police between 2013-2018.
4. A copy of any documents indicating whether the civilian complaints identified in request #3 were sustained.
5. The policy manual of the police department.
6. The current union contract between the city and any police unions or police associations.
7. All records regarding police shootings (including fatal police shootings, non-fatal police shootings and police shootings at a civilian that missed) between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths resulting from the incident, the names of all officers involved, whether administrative investigations found the incidents to be justified under police department policy and any disciplinary actions taken against the officers as a result of the incident.
8. All records regarding civilian deaths or serious injuries resulting from police use of force between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths resulting from the incident and the names of all officers involved.



The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Samuel Sinyangwe

Filed via MuckRock.com

E-mail (Preferred): [77207-74678195@requests.muckrock.com](mailto:77207-74678195@requests.muckrock.com)

Upload documents directly:

[https://accounts.muckrock.com/accounts/login/?url\\_auth\\_token=AAAV2YUdDT02NeCyPdDCesVSsWQ%3A1hlxNQ%3A8W-PwH3ElWDtOLVnpUzDXAMcTNE&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fmesquite-police-department-9504%252Ftexas-police-data-mesquite-police-department-77207%252F%253Femail%253Dopenrecords%252540cityofmesquite.com](https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAV2YUdDT02NeCyPdDCesVSsWQ%3A1hlxNQ%3A8W-PwH3ElWDtOLVnpUzDXAMcTNE&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fmesquite-police-department-9504%252Ftexas-police-data-mesquite-police-department-77207%252F%253Femail%253Dopenrecords%252540cityofmesquite.com)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News  
DEPT MR 77207  
411A Highland Ave  
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

**WARNING:** This email is from an external source. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward to the \_\_\_\_\_ or call us at 972-216-6622 if you are unsure.

Use of Force 2013

Defensive Tactics	77	Total Use of Force Incidents	179
OC Spray	54		
Taser/Probes Deployed	76		
Taser/Drive Stun	52		
Firearm Discharged	1		
Carotid Restraint	3		
Restraint Chair	17		

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## Use of Force 2014

Defensive Tactics	87	Total Use of Force Incidents	153
OC Spray	64		
Taser/Probes Deployed	76		
Taser/Drive Stun	33		
Restraint Chair	14		

Profile of Use-of-force Incidents received Between Jan 1, 2015 and Dec 31, 2015

Total number of use-of-force incidents: 148

Type of force	Total #
Defensive Tactics Used	53
Firearm Discharged	5
OC Spray Discharged	53
Restraint Chair	22
Taser	69
Vehicle	1

Profile of Use-of-force Incidents received Between Jan 1, 2016 and Dec 31, 2016

Total number of use-of-force incidents: 109

Type of force	Total #
Carotid Restraint Used	6
Defensive Tactics Used	27
Firearm Discharged	3
OC Spray Discharged	52
Restraint Chair	12
Taser	52
Weapon Discharge Firearm	1

Profile of Use-of-force Incidents received Between Jan 1, 2017 and Dec 31, 2017

Total number of use-of-force incidents: 76

Type of force	Total #
Carotid Restraint Used	4
Defensive Tactics Used	49
Firearm Discharged	1
OC Spray Discharged	21
Restraint Chair	24
Taser	29

Profile of Use-of-force Incidents received Between Jan 1, 2018 and Dec 31, 2018

Total number of use-of-force incidents: 78

Type of force	Total #
Canine Contact	1
Carotid Restraint Used	6
Defensive Tactics Used	44
Firearm Discharged	4
OC Spray Discharged	16
Restraint Chair	23
Taser	28

2013	Officer	Outcome
2013-002	J. Tullis	Sustained-3 day suspension
2013-004	K. Dupont	Sustained-Written Reprimand
2013-015	A. Gafford	Sustained-1 day suspension
2013-018	J. Corder	Sustained-Advisory Memo
2014	Officer	Outcome
2014-007	A. Mason	Resigned-Held in Abeyance
2014-011	W. Ventura	Sustained-Written Reprimand
2014-018	P. Smith, B. Smith, W. Nichols, T. Williams	Sustained-Oral reprimand(P. Smith/B. Smith)
2014-023	R. Houston	Sustained-30 day suspension
2014-024	K. McCloud	Not Sustained-Complainant failed to cooperate
2015	Officer	Outcome
2015-004	G. Lang	Sustained-Advisory Memo
2015-005	M. Rodriduez	Sustained-Written Reprimand
2015-007	M. Hailey	Sustained-verbal counseling
2015-010	K. McCloud	Sustained-Written Reprimand
2015-014	J. Halbert	Sustained-Written reprimand
2015-015	J. Fyall	Sustained-2 day suspension
2015-016	C. Woodruff	Not Sustained
2015-017	T. Rhone	Sustained-Written Reprimand
2015-018	A. Fraire	Sustained-Written Reprimand
2016	Officer	Outcome
2016-002	C. Woodruff	Sustained-Written Reprimand
2016-003	J. Halbert	Sustained-Written Reprimand
2016-006	B. Gregson	Sustained- 1 day suspension
2016-008	Chris Odom	Sustained-Written Reprimand
2016-009	E. Zimmerman	Sustained-Written Reprimand
2016-011	C. Copeland	Sustained-Adisory Memo
2016-013	N. Sierra	Sustained-Oral reprimand
2016-014	P. Solis	Sustained-Oral reprimand
2016-018	D. Higginson	Unfounded
2017	Officer	Outcome
2017-003	E. Zimmerman	Sustained- 5 day suspension
2017-009	B. Gregson	Sustained-Written Reprimand
2017-021	Matthew McCloud	Sustained-Written Reprimand
2017-022	Peter Velasquez	Resigned-Held in Abeyance
2017-024	D. Wiley	Sustained-Indefinite Suspension
2018	Officer	Outcome
2018-004	Ian Dudley	Sustained-Written Reprimand
2018-006	Matthew McCloud	Sustained-1 day suspension
2018-010	Jacob Frias	Sustained-Written Reprimand
2018-014	Rick Mitchell	Sustained-15 day/Demotion
2018-015	Caleb R. Parker #1016	Sustained-Written Reprimand
2018-016	Prudencio Solis	Exonerated
2018-020	Matthew McCloud	Sustained-Written Reprimand
2018-024	Borden, Brandon	Sustained-Written Reprimand
2018-026	King, Dwayne	Sustained-1 day suspension
2018-027	Birk, Stephen	Sustained-Written Reprimand

# 4



**A MEMORANDUM OF  
UNDERSTANDING  
BETWEEN  
CITY OF MESQUITE, TEXAS  
AND  
MESQUITE POLICE ASSOCIATION**

# 6

**EXPIRES AUGUST 31, 2019**

## TABLE OF CONTENTS

<b>PREAMBLE .....</b>	<b>4</b>
<b>ARTICLE 1 DEFINITIONS .....</b>	<b>4</b>
<b>ARTICLE 2 AUTHORITY AND RECOGNITION .....</b>	<b>6</b>
<b>ARTICLE 3 ASSOCIATION RIGHTS .....</b>	<b>6</b>
<b>Section 1. Payroll Deductions .....</b>	<b>6</b>
<b>Section 2. Association Access .....</b>	<b>7</b>
<b>ARTICLE 4 TIME OFF FOR ASSOCIATION BUSINESS .....</b>	<b>8</b>
<b>Section 1. Association Business Leave Pool .....</b>	<b>8</b>
<b>Section 2. Association Negotiating Team. ....</b>	<b>10</b>
<b>Section 3. Association Board of Directors .....</b>	<b>10</b>
<b>ARTICLE 5 HOLIDAYS, SICK LEAVE AND VACATIONS .....</b>	<b>11</b>
<b>Section 1. Holidays for Compressed Work Schedule Police Officers .....</b>	<b>11</b>
<b>Section 2. Sick Leave .....</b>	<b>11</b>
<b>Section 3. Vacation .....</b>	<b>11</b>
<b>ARTICLE 6 PROMOTIONS .....</b>	<b>11</b>
<b>Section 1. Eligibility for Promotion .....</b>	<b>11</b>
<b>Section 2. Promotional Examination Procedure .....</b>	<b>12</b>
<b>Section 3. Promotional Eligibility List .....</b>	<b>12</b>
<b>ARTICLE 7 APPEALABLE AND NON-APPEALABLE SUSPENSIONS .....</b>	<b>12</b>
<b>Section 1. Suspensions of Forty (40) Working Hours or Less .....</b>	<b>12</b>
<b>ARTICLE 8 INITIAL HIRING .....</b>	<b>13</b>
<b>Section 1. Probationary Period .....</b>	<b>13</b>
<b>Section 2. Increase in Maximum Age for Entrance Position .....</b>	<b>13</b>
<b>Section 3. Examinations for Entrance Position .....</b>	<b>13</b>
<b>Section 4. Certified Lists .....</b>	<b>13</b>
<b>Section 5. Appointments .....</b>	<b>14</b>

Section 6.	Effect of Contract Expiration .....	14
<b>ARTICLE 9 LATERAL ENTRY PROGRAM.....</b>		<b>14</b>
Section 1.	Lateral Entry Program.....	14
Section 2.	Eligibility for Lateral Entry .....	15
Section 3.	Training and Probation .....	15
Section 4.	Pay .....	16
Section 5.	Seniority .....	17
Section 6.	Effect of Contract Expiration .....	18
<b>ARTICLE 10 COMPENSATORY TIME .....</b>		<b>18</b>
<b>ARTICLE 11 APPOINTMENTS OF ASSISTANT CHIEFS.....</b>		<b>19</b>
Section 1.	Appointment of Assistant Chief.....	19
<b>ARTICLE 12 CLOSING STATEMENTS.....</b>		<b>20</b>
Section 1.	Complete Agreement .....	20
Section 2.	Preemption.....	20
Section 3.	Savings Clause.....	21
Section 4.	Duration and Extension.....	21
Section 5.	Miscellaneous Provisions.....	21

## **PREAMBLE**

This Memorandum of Understanding dated expressly effective the 1<sup>st</sup> day of September, 2017 (the "Effective Date"), is entered into between the City of Mesquite, Texas and the Mesquite Police Association. It is the intent and purpose of this Agreement to achieve and maintain harmonious relations between the parties and discuss issues of mutual concern, as provided in the Texas Local Government Code, Chapter 142, Subchapter B. This Agreement has been reached through the process of Meet and Confer with the objective of fostering effective cooperation between the City and its Police Officers.

## **ARTICLE 1 DEFINITIONS**

1. "ABLP Donation Authorization Form" shall have the meaning set forth in Article 4 of this Agreement.
2. "ABLP Donation Revocation Form" shall have the meaning set forth in Article 4 of this Agreement.
3. "ABL Eligible Police Officers" means Police Officers who serve on either (a) the Association's Board of Directors or (b) the Association's meet and confer negotiating team.
4. "Accredited College or University" means an institution of higher education that is, or at the relevant time was, accredited by one of the following agencies: Southern Association of Colleges and Schools, Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Western Association of Schools and Colleges or any other accredited college or university as defined by the Local Rules.
5. "Agreement" refers to this Memorandum of Understanding Between the City and the Association.
6. "Association" means the Mesquite Police Association.
7. "Association Business Activities" means (a) representing Police Officers at disciplinary hearings (to the extent permitted by law or allowed by Department policy) or grievance meetings; (b) preparing for formally scheduled meet and confer negotiating sessions with the City, provided, however, only Police Officers serving on the Association's meet and confer negotiating team shall be eligible for ABL leave for attending such meetings; (c) administering the terms of this Agreement; (d) attending meetings of the Association's Executive Board; (e) attending regular business meetings of the Association; (f) attending other meetings, training programs, seminars, workshops, conferences, or events specifically relating to the management of the Association; or (g) appearing before the City Council or Texas Legislature by the Association President or the Association President's designee.
8. "Business days" means each day exclusive of weekends and holidays.
9. "Calendar days" means each day inclusive of weekends and holidays.

10. "Chief" means the Chief of Police of the City, including any interim or acting Chief of Police.
11. "City" means the City of Mesquite.
12. "City Manager" means the City Manager of the City.
13. "City's Police Civil Service Pay Plan" means the City of Mesquite Civil Service Pay Plan – Police as adopted annually by the City Council of the City, as now existing and as hereafter amended.
14. "Commission" means the Fire Fighters' and Police Officers' Civil Service Commission of the City.
15. "Comparable Law Enforcement Agency" means (a) an agency which is authorized, recognized, certified or licensed by TCOLE to operate as a law enforcement agency; (b) a state or local law enforcement agency in any state other than Texas which is authorized, recognized, certified or licensed to operate as a law enforcement agency by a state agency equivalent to TCOLE in the state where such law enforcement agency is located; (c) a federal law enforcement agency; or (d) any law enforcement agency which the Chief, in the Chief's sole discretion, determines is comparable to the Department for purposes of the eligibility requirements of the Lateral Entry Program.
16. "Comparable Law Enforcement Agencies" means more than one Comparable Law Enforcement Agency.
17. "Department" means the Police Department of the City.
18. "Director" means the director of the City's fire fighters' and police officers' civil service.
19. "Lateral Entry Applicant" means a certified peace officer with previous law enforcement experience who applies for employment with the Department under the Lateral Entry Program.
20. "Lateral Entry Officer" means a Lateral Entry Applicant who meets the eligibility criteria set forth in Section 2 of Article 9 of this Agreement and who is hired as a Police Officer by the Department under the Lateral Entry Program.
21. "Lateral Entry Program" means the program established by the Department to attract applicants with previous law enforcement experience and shall consist of the terms, provisions, criteria and conditions set forth in Article 9 of this Agreement.
22. "Local Rule" or "Local Rules" mean the City of Mesquite Fire and Police Civil Service Rules and Regulations as currently enacted by the Commission or as amended hereafter.
23. "Police Officer" or "Police Officers" mean person(s) who are peace officer(s) under Texas Code of Criminal Procedure Article 2.12 or other law and who are employed as sworn police officer(s) in the Department.
24. "Party" or "Parties" mean the City and the Association.

25. "Prior Qualifying Service" means the prior law enforcement service of a Lateral Entry Applicant that meets the eligibility criteria set forth in Section 2 of Article 9 of this Agreement.
26. "Special City Events" means Christmas in the Park, the Downtown Square Tree Lighting, Town East Mall Christmas Holiday Season, Summer Sizzle, the Rodeo Bike Ride and the Rodeo Parade.
27. "TCOLE" means the Texas Commission on Law Enforcement or any successor agency.
28. "TLGC" means the Texas Local Government Code.

## **ARTICLE 2 AUTHORITY AND RECOGNITION**

In accordance with TLGC § 142.058, the City recognizes the Association as the sole and exclusive bargaining agent for all Police Officers of the Department who have been hired in substantial compliance with the provisions of TLGC Chapter 143, excluding the head of the Department, the two (2) Assistant Police Chiefs, and any other employees exempt under TLGC §§ 142.058(b) and 143.014 or Local Rule .014.

This Agreement does not include or affect civilians or other employees of either the City or the Department, nor shall it be interpreted or construed to deny local control by the City over wages, rates of pay, hours of work, or other terms and conditions of employment except as expressly provided by this Agreement under TLGC § 142.059.

## **ARTICLE 3 ASSOCIATION RIGHTS**

### **Section 1. Payroll Deductions**

A. The City shall deduct a bi-weekly amount from the pay of each individual Police Officer who has voluntarily authorized such membership dues deduction for remittance to the designated bona fide employee association(s). Any Police Officer who wishes to join the Association, Texas Municipal Police Association or Combined Law Enforcement Associations of Texas (collectively, "Designated Organizations") will complete and sign the appropriate City form to authorize the bi-weekly deduction amount. The Designated Organizations may change the amount of the deduction with thirty (30) Calendar days' notice to the City in writing. Within ten (10) working days following the end of a calendar month, the City will remit payment directly to the Designated Organizations along with a list of the amount of deduction taken from each Police Officer. The City will remit deducted amounts directly to the Designated Organizations unless and until such payroll deductions are modified or revoked by the affected Police Officer.

B. During the term of this Agreement, other authorized payroll deductions will be permitted. Police Officers who are current members of one or more Designated Organizations may continue to utilize automatic payroll deductions, as in the past. Police Officers who are currently having membership dues deducted as of the Effective Date will not be required to submit new dues deduction authorization forms. After the Effective Date, a Police Officer seeking to become a new member in a Designated Organization and to pay dues to that organization by automatic payroll

deductions must join the Association in order to utilize automatic payroll deduction for payment of such membership dues.

C. Any individual member of the bargaining unit wishing to voluntarily withdraw authorization for deductions must personally sign the appropriate form as required by the City.

**D. THE ASSOCIATION SHALL INDEMNIFY, DEFEND THE CITY AND HOLD THE CITY HARMLESS AGAINST ANY AND ALL CLAIMS, DEMANDS, SUITS OR OTHER FORMS OF LEGAL ACTION THAT MAY ARISE OUT OF, OR BY REASON OF, ANY ACTIONS TAKEN BY THE CITY, OR ANY EMPLOYEE OF THE CITY IN COMPLYING WITH PROVISIONS OF THIS ARTICLE. THE ASSOCIATION AND THE CITY SHALL JOINTLY SELECT AND DIRECT COUNSEL RETAINED FOR SUCH DEFENSE AND THE ASSOCIATION SHALL FURTHER ASSIST AND COOPERATE WITH THE CITY DURING SAID DEFENSE.**

## **Section 2. Association Access**

Subject to reasonable advance notice from the Association and approval from the Chief or the Chief's authorized designee, the Association may be permitted reasonable access to the premises of the Department for the purpose of administering this Agreement, in a manner that does not interfere with the functions of the Department.

The Association shall have the exclusive right to maintain an association bulletin board. Such bulletin board shall be at the Association's sole expense. The bulletin board shall be maintained in good condition by the Association and shall be encased and capable of being locked with a key provided to the Chief or the Chief's designee.

Any material posted must be dated and signed by the Association official generating the same. The Association shall have the right to post on its bulletin board material pertaining to legitimate Association activities and interests under the following guidelines:

1. Materials shall be directed toward dissemination of Association information such as social and recreational events, association meetings, association elections, and legislation and judicial decisions affecting Association members.
2. Any concerns on the part of the City or the Chief about whether the content of posted material complies with this Article shall be brought to the attention of an Association executive board member for review and adjustment as soon as the concern arises. The Chief may direct material considered objectionable to be removed from the bulletin board.
3. Materials may not contain any personal attacks, inflammatory material, obscene, lewd, distasteful or immoral material, material abusive of any person or organization, or material disruptive of City or Department operations.
4. At no time shall the bulletin boards contain any political endorsement, whether at the local, state or federal level.

**ARTICLE 4**  
**TIME OFF FOR ASSOCIATION BUSINESS**

**Section 1. Association Business Leave Pool.**

A. At the beginning of the first pay period of each calendar year, the City will deduct two (2) hours of accrued vacation leave or compensatory time from any Police Officer covered by this Agreement who has voluntarily authorized the donation and the City will transfer the donated time into the Association Business Leave Pool ("ABLP") to be utilized for Association Business Leave ("ABL"). Any Police Officer covered by this Agreement wanting to donate vacation leave or compensatory time must personally sign a form acceptable to the City authorizing the donation (the "ABLP Donation Authorization Form"). An ABLP Donation Authorization Form may be submitted to the City's Human Resources Department by either the Police Officer or the Association, but it must be signed by the individual Police Officer who is donating the vacation leave or compensatory time and shall clearly reflect that any vacation leave or compensatory time donation is voluntary and will never be re-credited to the Police Officer's accrued time after the donation is credited to the ABLP. Forms submitted to the City's Human Resources Department shall remain in effect for the duration of this Agreement and any extensions of this Agreement pursuant to Article 12, Section 4; provided, however, notwithstanding anything contained herein to the contrary, any Police Officer may revoke their donation authorization for future years at any time by providing the City's Human Resources Department with written notice of such revocation on a form acceptable to the City signed by such Police Officer ("ABLP Donation Revocation Form"). A duly executed ABLP Donation Revocation Form must be received by the City's Human Resources Department at least fifteen (15) Calendar days prior to January 1st of a calendar year to prevent the donation of vacation leave or compensatory time for that calendar year. If on the first pay period of the calendar year, a Police Officer who has authorized an ABLP donation has an insufficient amount of accrued vacation leave or compensatory time as selected on the appropriate form to make the donation, the City will not deduct a donation from that Police Officer for that calendar year.

B. Unused hours remaining in the ABLP at the end of the last pay period of each calendar year shall either be carried over into the next calendar year or forfeited as set forth in this Section. The number of hours which may be carried over into the next calendar year is the lesser of (i) the number of hours remaining in the ABLP at the end of the last pay period of that calendar year or (ii) one-half the total number of hours that were contributed to the ABLP on the first pay period of that calendar year; provided, however, all hours carried over must be used during the next calendar year. All allocations of ABL hours must be used on a first-in, first-out basis. Unused hours in the ABLP which are not eligible for carry over as described in this Section, including any unused carry over hours from the prior calendar year, shall be forfeited and shall not be re-credited to the Police Officer who donated the hours. At the termination of this Agreement, neither the Association nor the Police Officer(s) who donated hours to the ABLP shall have any rights in the hours then remaining in the ABLP and all such hours shall be forfeited and shall not be transferred or paid to the Association or re-credited to the Police Officer(s) who donated the hours. ABL hours in the ABLP shall never have any cash or surrender value.

C. Hours in the ABLP may be utilized starting at the beginning of the first pay period of calendar year 2018. Hours in the ABLP shall be credited on an hour-for-hour basis. The Association shall be allowed to debit the ABLP on an hour-for-hour basis during the calendar year



when the ABL Eligible Police Officers are required to engage in Association Business Activities. ABL is available for use only by ABL Eligible Police Officers while performing Association Business Activities. The Association will notify the Chief, or the Chief's designee, in writing of the names of the ABL Eligible Police Officers within thirty (30) Business days after the execution of this Agreement and will notify the Chief, or the Chief's designee, in writing within thirty (30) Business days of any change of such Police Officers. If the Chief declares an emergency, the Chief may order any ABL Eligible Police Officer to report to work for the duration of the emergency notwithstanding any previously approved ABL.

D. The Association may request the use of ABL for Association Business Activities upon five (5) Business days advance written notification signed by the Association President and provided to the Chief, or the Chief's designee. All ABL shall be subject to the written approval of the Chief, or the Chief's designee, such approval not to be unreasonably withheld. Notwithstanding the foregoing, the Parties agree that the denial of a request for ABL shall be deemed reasonable if the Chief, or the Chief's designee, determines that the granting of the ABL request will result in an insufficient number of Police Officers being available to carry out the normal functions of the Department. The utilization of ABL must be related to legitimate Association Business Activities and not to law enforcement activities or training. City vehicles shall not be used to provide transportation to or from Association Business Activities unless the Association Business Activity is located within the city limits of the City and the Police Officer is using the Police Officers' individually assigned (IA) vehicle or the Police Officer is on-duty and operating their duty vehicle. The Association is solely responsible for the payment of all travel expenses, training fees, or other costs associated with Association Business Activities.

E. ABL shall not constitute City hours worked. ABL shall be administered and benefits will accrue in the same manner as vacation leave. ABL shall not be treated as a break in service, and an ABL Eligible Police Officer shall not lose seniority, promotional opportunity, sick leave, vacation (subject to the City's vacation accumulation restrictions) or retirement benefits while on such leave. While on ABL, ABL Eligible Police Officers will retain the privileges of his or her employment and shall be maintained by the Department as a commissioned peace officer in the State and a classified civil service employee of the City. Notwithstanding the foregoing, however, it is expressly agreed and understood that ABL Eligible Police Officers are not acting as employees of the City while on ABL and, other than the performance of any law enforcement responsibilities required of off-duty Police Officers pursuant to Department policy, their actions and conduct while on ABL or while performing Association Business Activities are for the sole benefit of the Association and shall not constitute conduct within the course and scope of their employment by the City. Notwithstanding the foregoing, ABL Eligible Police Officers on ABL shall at all times remain subject to and comply with the Department's policies and standards of conduct as applicable to all off-duty Police Officers.

**F. REGARDLESS OF ANY FAULT OR NEGLIGENCE OF THE CITY, THE ASSOCIATION AGREES TO INDEMNIFY, DEFEND AND HOLD THE CITY HARMLESS AGAINST ANY CLAIMS, DEMANDS, SUITS, DAMAGES, COSTS, EXPENSES OR ANY OTHER FORM OF LIABILITY ARISING FROM OR RELATING TO (1) ANY ACTION TAKEN BY THE CITY FOR PURPOSES OF COMPLYING WITH THE PROVISIONS OF THIS ARTICLE, (2) ANY ACTION TAKEN BY ANY ABL ELIGIBLE POLICE OFFICER WHILE ON ABL OTHER THAN THE PERFORMANCE**

**OF ANY LAW ENFORCEMENT RESPONSIBILITIES REQUIRED OF OFF-DUTY POLICE OFFICERS PURSUANT TO DEPARTMENT POLICY, OR (3) ANY ACTION TAKEN BY ANY OFFICER OR OTHER INDIVIDUAL ENGAGED IN ANY ASSOCIATION BUSINESS ACTIVITY OR ANY OTHER ACTIVITY FOR THE BENEFIT OF THE ASSOCIATION. THIS INDEMNIFICATION OBLIGATION INCLUDES, BUT IS NOT LIMITED TO, ALL DAMAGES, ATTORNEYS' FEES, COSTS, INTEREST, EXPENSES, AND JUDGMENTS INCURRED BY OR ON BEHALF OF THE CITY IN CONNECTION WITH SUCH CLAIMS, DEMANDS, OR CAUSES OF ACTION.**

**Section 2. Association Negotiating Team.**

Up to five (5) Police Officers who are Association members may serve on the Association's meet and confer negotiating team and may attend negotiation sessions using on-duty time for any meetings that occur during the Association team member's regularly scheduled shift(s). Nothing herein shall prohibit the Association, however, from designating additional members or other individuals who are not Police Officers to serve on the meet and confer negotiating team. Each team shall advise the other of the names and positions of the individuals it intends to designate as negotiating team members. Either team may change the members of its negotiating team by written or electronic notification to the other team. Notwithstanding anything contained in this Article to the contrary, members of the Association's meet and confer negotiating team who are not also members of the Association's Board of Directors may only use ABL hours for Association Business Activities related to meet and confer activities including, without limitation, preparing for formally scheduled meet and confer negotiation sessions with the City and attending Association Business Activities that are associated with or related to training for meet and confer negotiations.

**Section 3. Association Board of Directors.**

Within thirty (30) Business days after the execution of this Agreement, the Association shall notify the Chief in writing as to the names of the Association's Board of Directors. The Association shall thereafter notify the Chief in writing within thirty (30) Business days of any change in the composition of its Board of Directors. Upon five (5) Business days advance written notification to and approval by the Chief in the event of any Association membership meeting or regularly scheduled Association Board meeting, or upon 24-hour notice and approval by the Chief in the event of any specially called Association Board meetings, a Police Officer who is a member of the Association's Board of Directors and who is scheduled to work at the time of such meeting shall be permitted to attend the meeting. Notwithstanding the foregoing, each Police Officer who is a member of the Association's Board of Directors may use ABL to attend one (1) regularly scheduled meeting of the Board of Directors of the Association each calendar month without prior notice to or approval by the Chief. All time attending the Association Business Activities described in this Section will be deducted from the ABLP if there are sufficient hours in the ABLP to cover all or part of the time required when the deduction is to be made.

## **ARTICLE 5 HOLIDAYS, SICK LEAVE AND VACATIONS**

### **Section 1.     Holidays for Compressed Work Schedule Police Officers**

Police Officers working a ten (10) hour patrol shift (Compressed Work Schedule) will accrue holidays on the basis of eight (8) hours for each holiday observed by the City. For example, for calendar year 2018, such Police Officers are entitled to a total of eighty (80) hours of holiday leave with pay (10 holidays at 8 hours per holiday) which total will be advanced on January 1, 2018. Police Officers assigned to a 10-hour shift must schedule holiday hours in advance, as part of the existing vacation request procedure. Holidays are subject to supervisory review and approval based on manpower levels. Police Officers assigned to ten-hour shifts will schedule at least eighty (80) hours of holiday as part of the yearly vacation request process. Police Officers working a ten (10) hour shift who move to an eight (8) hour shift during the calendar year must immediately restore the holiday hours used equal to the rest of the holidays for the year (based on eight (8) hour holiday) by either agreeing to work the rest of the holidays for the calendar year or agreeing to the equivalent hours being charged to their vacation balance. If a Police Officer terminates the Police Officer's employment, a calculation of actual holiday hours earned verses holiday hours taken will be made. If the Police Officer has taken more holiday hours than hours earned by the passing of each actual holiday, the Police Officer's vacation leave balance will be reduced by the excess hours previously taken. If the Police Officer does not have sufficient vacation hours remaining, the balance of the holiday hours equivalent may be taken from any accrued sick leave for which the Police Officer is eligible for payment or if insufficient, the Police Officer's final pay.

### **Section 2.     Sick Leave**

Police Officers will accrue and use sick leave on the basis of hours. A "working day" shall mean an eight (8) hour day. A Police Officer who leaves the classified service for any reason is entitled to payment for his/her accumulated sick leave but not more than 720 hours of sick leave.

### **Section 3.     Vacation**

Police Officers will be entitled to earn a minimum of one hundred twenty (120) hours of vacation leave per year. A working day shall mean an eight (8) hour day.

## **ARTICLE 6 PROMOTIONS**

### **Section 1.     Eligibility for Promotion**

Police Officers are not eligible for promotion to the rank of Sergeant or to take the Sergeant promotional examination unless the person has served as a Police Officer in the Department for at least five (5) years immediately before the date the promotional examination is held. Police Officers are not eligible for promotion to the rank of Lieutenant or Captain unless the person has served in the Department in the next lower rank for at least two years immediately before the date the promotional examination is held. If promotions to the rank of Sergeant, Lieutenant, or Captain are determined by an Assessment Center process, rather than by promotional examination, a Police Officer is not eligible for promotion unless the Police Officer has served the aforementioned requisite time (i.e., five years for promotion to Sergeant, two years for promotion to Lieutenant or

Captain) in the next lower rank as of the date that the Assessment Center conducts its initial meeting or interview of the promotional candidate(s).

## **Section 2. Promotional Examination Procedure**

### **A. Procedure.**

All promotional examinations shall consist of a written examination pursuant to TLGC Chapter 143 and the Local Rules except as modified by this Section. On or before February 1 of each year, the Association President may submit written recommendations derived from the Police Officers eligible as of February 1 of that year to take the examination in question to the Chief for source material for the promotional examinations for Sergeant, Lieutenant and Captain, which recommendations are not binding on the Chief who retains sole discretion to select the source material for police promotional examinations.

### **B. Modifications**

The Association may develop alternate promotional procedures and systems for Sergeant, Lieutenant, and/or Captain for recommendation and presentation by the Association President to the Chief by February 1 of each year. The recommendation by the Association President shall be derived from those Police Officers eligible as of February 1<sup>st</sup> of that year to take the examination in question. If the Chief finds a recommended procedure and system achievable and in the best interest of the Department, the Chief shall order the procedure and system be adopted for use by the Department, except where the promotional process is already in progress on that date, without the necessity of any further action by the Commission.

## **Section 3. Promotional Eligibility List.**

Promotional eligibility lists in effect on the Effective Date of this Agreement shall continue in effect until their date of expiration or sooner exhausted.

# **ARTICLE 7 APPEALABLE AND NON-APPEALABLE SUSPENSIONS**

## **Section 1. Suspensions of Forty (40) Working Hours or Less**

The Parties agree that when a Police Officer is suspended without pay by the Chief for 40 working hours or less, the Police Officer may elect to proceed as follows:

A. At the time of receipt of the statement of suspension, the Police Officer may forfeit vacation or holiday time equal to the length of the suspension, or forfeit for any number of full days combined with the remaining period to remain suspended without pay, to serve the suspension with no break in service for purposes of seniority or promotion. The forfeited vacation or holiday time will not constitute hours worked. In the event a Police Officer has received a disciplinary suspension within the preceding 24-month period, the Police Officer may only forfeit vacation or holiday time with the permission of the Chief. The Police Officer must agree that there is no right to appeal the suspension nor right of review before any administrative body or judicial body if this

method of suspension is chosen and the Police Officer must sign a waiver of appeal and agree to the suspension.

B. If the Police Officer does not elect to proceed under Section 1A above, the Police Officer may either serve the suspension or appeal the suspension as set forth in TLGC Chapter 143 and the Local Rules.

## **ARTICLE 8 INITIAL HIRING**

### **Section 1. Probationary Period**

A Lateral Entry Officer appointed to a beginning position in the Department must serve a probationary period of twelve (12) months beginning on that Lateral Entry Officer's date of employment as a police officer of the City. The Parties agree that the twelve (12) month probationary period for Lateral Entry Officers shall apply to all Lateral Entry Officers employed by the City as of the Effective Date who are currently serving a probationary period and to Lateral Entry Officers hereafter employed by the City during the term of this Agreement. All other person(s) [i.e. Police Officers not hired through the Lateral Entry Program] appointed to a beginning position in the Department must serve a probationary period of eighteen (18) months beginning on that person's date of employment as a police officer of the City.

### **Section 2. Increase in Maximum Age for Entrance Position**

The Parties agree to increase the maximum age of person(s) appointed to beginning position(s) in the Department as provided in this Section. An applicant for a beginning position in the Department who is not a Lateral Entry Applicant and who is fifty-one (51) years of age or older on the date the applicant applies for a position with the Department may not be certified for a beginning position with the Department. A Lateral Entry Applicant may not be certified for a beginning position with the Department if the Lateral Entry Applicant is fifty-six (56) years of age or older on the date the Lateral Entry Applicant applies for a position with the Department. This Section applies only to non-emergency appointments for beginning positions in the Department and is not intended to alter or limit the Commission's ability to authorize emergency appointments pursuant to TLGC § 143.083 or Local Rule .083.

### **Section 3. Examinations for Entrance Position**

The City shall provide for entrance examination for the Department in accordance with Chapter 143 and the Local Rules except as provided herein. The entrance examination for the Department may be administered by the City to individual applicants, at multiple locations within and outside of the City or state, and at different times as determined by the Director.

### **Section 4. Certified Lists**

Applicants shall be ranked by highest passing score on the entrance examination (an additional 5 points shall be added to a passing grade on the written examination of an applicant who has an honorable discharge from the United States Armed Forces, the reserve components the United States Armed Forces, or the Texas State Guard). Applicants who pass the written entrance

examination must participate in and pass the next scheduled physical agility test to be placed on an eligibility list. Applicants who do not pass the written entrance examination are not eligible to take the physical agility test or proceed further in the hiring process. The ranking of applicants on the eligibility list shall be based on their scores on the entrance examination plus any additional points for an honorable discharge from military service as provided in this Section. Applicants who do not receive a passing grade on the written entrance examination may not retake the examination until after the next scheduled physical agility test. If an applicant receives a failing score on the applicant's second attempt at the entrance examination, the applicant is prohibited from taking the entrance examination for a period of two years from the date of the second attempt. Applicants who do not participate in or who fail the next scheduled physical agility test must retake and pass the written entrance examination to be eligible to take the next scheduled physical agility test.

Based on vacancies and the needs of the Department, the Director may give another entrance examination and have more than one beginning position eligibility list in existence at the same time; however, an earlier eligibility list must have expired or been exhausted before proceeding to hire from the next subsequent eligibility list.

Applicants already on a certified eligibility list shall be carried on the eligibility list for a period of one year unless sooner disqualified.

#### **Section 5. Appointments**

Appointments for a beginning position in the Department shall be made by the Chief in rank order from the current active eligibility list unless the person with the highest score is not appointed by the Chief for good and sufficient reason.

#### **Section 6. Effect of Contract Expiration**

The provisions of this Article shall remain in full force and effect after expiration of this Agreement as to:

- a. Any hiring process which has been commenced in substantial reliance upon the provisions of this Article;
- b. The length of the "at will" probationary period for individuals in that status prior to the expiration of this Agreement; and
- c. Any eligibility list actively in use created under the terms of this Article will remain in effect for its duration unless exhausted sooner.

### **ARTICLE 9 LATERAL ENTRY PROGRAM**

#### **Section 1. Lateral Entry Program**

The Lateral Entry Program is designed to attract additional qualified applicants who would not require the training time involved with an applicant who lacks previous law enforcement

experience. This recruiting tool shall involve compensating Lateral Entry Officers for their experience working as certified peace officers in other Comparable Law Enforcement Agencies.

## **Section 2. Eligibility for Lateral Entry**

To be eligible for employment with the Department under the Lateral Entry Program, a Lateral Entry Applicant must satisfy the following eligibility criteria:

- a. A Lateral Entry Applicant shall be: (i) at least twenty-one (21) years of age; and (ii) not fifty-six (56) years of age or older at the time of application;
- b. A Lateral Entry Applicant shall have at least two (2) years of cumulative service as a paid, full-time certified peace officer with one or more Comparable Law Enforcement Agencies;
- c. A Lateral Entry Applicant shall have served in one or more positions where he or she had the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of the Lateral Entry Applicant's assigned duties. Time spent in an academy, serving in a jail or in any position not meeting the foregoing criteria as determined by the Chief, in the Chief's sole discretion, shall not be counted when calculating a Lateral Entry Applicant's eligibility for the Lateral Entry Program;
- d. A Lateral Entry Applicant shall not have more than a three (3) year break in service from the time the applicant left a Comparable Law Enforcement Agency and the time the applicant applies for employment with the Department;
- e. Except as expressly provided in this Article, Lateral Entry Applicants hired under the Lateral Entry Program must successfully complete each step in the civil service hiring process in the same manner as any other applicant including, without limitation, all Lateral Entry Applicants must pass the civil service exam, physical agility testing, background investigation, medical and psychological assessments; and
- f. The Chief shall make the final determination as to: (i) whether a Lateral Entry Applicant satisfies the eligibility requirements for the Lateral Entry Program including, without limitation, whether a Lateral Entry Applicant's prior years of service, position(s) and break in service satisfy the criteria set forth herein; and (ii) the maximum number of Lateral Entry Applicants to be hired by the Department each fiscal year. The Chief's decisions shall be final and non-appealable to the Commission or to any court.

## **Section 3. Training and Probation**

A. Attendance at the Department's basic police academy is not required for Lateral Entry Applicants. The Chief, in the Chief's sole discretion, will determine the type, level and amount of training required for all Lateral Entry Applicants. Lateral Entry Applicants shall be required to successfully complete the training requirements as established by the Chief.

B. A Lateral Entry Applicant who successfully completes the training requirements as established by the Chief will be placed in the civil service classification of police officer regardless of any rank or position the Lateral Entry Applicant previously held at any other law enforcement agency.

C. Lateral Entry Officers must successfully complete a twelve (12) month probationary period and may be terminated by the Chief at any time during the Lateral Entry Officer's probationary period, without any rights to appeal. The Parties agree that the twelve (12) month probationary period for Lateral Entry Officers shall apply to all Lateral Entry Officers employed by the City as of the Effective Date of this Agreement who are currently serving a probationary period and to Lateral Entry Officers hereafter employed by the City during the term of this Agreement.

#### **Section 4. Pay**

A. Typically, officers working at larger police departments gain experience at a faster rate due to the level of activity commensurate with the population. Therefore, the starting pay for Lateral Entry Officers will be determined based on: (i) the Lateral Entry Officer's cumulative years of experience calculated as set forth in Section 4B below; and (ii) the number of authorized sworn peace officer positions of each Comparable Law Enforcement Agency where the Lateral Entry Officer earned his or her Prior Qualifying Service calculated as set forth in Section 4B below.

B. The years of experience of a Lateral Entry Officer will be calculated by counting the total number of years and months of Prior Qualifying Service of the Lateral Entry Officer at each Comparable Law Enforcement Agency and rounding down to the lowest year. If a Lateral Entry Officer has Prior Qualifying Service at multiple Comparable Law Enforcement Agencies, the years and months of service at each agency shall be calculated separately and rounded down to the lowest year at that agency. Lateral Entry Officers will be credited with one (1) year of experience for every full two (2) years of Prior Qualifying Service at a Comparable Law Enforcement Agency that has less than 100 authorized sworn peace officer positions as of the date the Lateral Entry Officer took the civil service examination with the Department. Lateral Entry Officers will be credited with one (1) year of experience for every full one (1) year of Prior Qualifying Service at a Comparable Law Enforcement Agency that has 100 or more authorized sworn peace officer positions as of the date the Lateral Entry Officer took the civil service examination with the Department.

C. The initial base pay for Lateral Entry Officers shall be based on the number of years of experience credited to the Lateral Entry Officer under the Lateral Entry Program as more fully set forth in Section 4B above and shall be the pay rate as set forth in the chart below:



# of Year(s) of Experience Credited to Lateral Entry Officer under the Lateral Entry Program	Pay Rate in the City's Police Civil Service Pay Plan – Position Title: Police Officer
One Year	Pay Grade PG1, Step B1
Two Years	Pay Grade PG1, Step B2
Three Years	Pay Grade PG1, Step B3
Four Years	Pay Grade PG1, Step B4
Five + Years	Pay Grade PG1, Step B5

D. Notwithstanding anything contained herein to the contrary, under no circumstances will a Lateral Entry Officer receive a starting base pay greater than Step B5 of Pay Grade PG1 of the City's Police Civil Service Pay Plan.

E. Police Officers who were in the police officer classification on December 22, 2016 who would have qualified for the Lateral Entry Program at their time of hire, and who were below Step B5 of Pay Grade PG1 on the City's Police Civil Service Pay Plan as of December 31, 2016, shall be advanced as of December 31, 2016 to the appropriate pay step in the City's Police Civil Service Plan as set forth in Section 4C above based on such Police Officer's Prior Qualifying Service as if such Police Officer had been hired under the Lateral Entry Program. The Qualifying Prior Service and the years of experience credited to each Police Officer who satisfies the conditions set forth in this Section 4E shall be calculated in the same manner and shall be based on the same criteria as set forth in this Article 9.

F. If a Lateral Entry Officer, or a Police Officer satisfying the conditions set forth in Section 4E above, is placed in a step higher than the Base pay step of Pay Grade PG1 of the City's Police Civil Service Pay Plan but lower than Step B5 of Pay Grade PG1 in accordance with the Lateral Entry Program, such Lateral Entry Officer and Police Officer satisfying the conditions set forth in Section 4E above (provided he or she remains in the police officer classification of the City's Police Civil Service Pay Plan) will advance through the subsequent steps of the City's Police Civil Service Pay Plan on each anniversary of such Lateral Entry Officer's or Police Officer's hire date with the Department up to the maximum of Step B5 of Pay Grade PG1, of the City's Police Civil Service Pay Plan.

## **Section 5. Seniority**

A. The Lateral Entry Program shall only affect an applicant's initial placement into the City's Police Civil Service Pay Plan. Actual work experience in another Comparable Law Enforcement Agency shall not be considered for promotional eligibility, for calculating points to

be added to promotional examination grades for years of seniority pursuant to TLGC § 143.033 and Local Rule .033, for departmental seniority or transfers or for any other matters except as expressly set forth herein. Departmental seniority for all issues other than initial pay grade shall begin on the applicant's civil service hire date with the Department.

B. Longevity pay and vacation time for all Lateral Entry Officers shall be calculated in the same manner as for Police Officers hired through the Department's regular hiring process and no credit will be given for experience or completed years of service in other Comparable Law Enforcement Agencies in regard to these benefits.

#### **Section 6. Effect of Contract Expiration**

The provisions of this Article shall remain in full force and effect after expiration of this Agreement as to:

- a. Any Lateral Entry Officers hired under the Lateral Entry Program prior to the expiration of this Agreement;
- b. Any Police Officers hired before the effective date of the Lateral Entry Program, who would have qualified for the Lateral Entry Program at their time of hire, and who are advanced to a higher pay step in the City's Police Civil Service Pay Plan pursuant to Section 4E of this Article;
- c. Any hiring process which has been commenced in substantial reliance upon the provisions of this Article;
- d. The length of the probationary period for any Lateral Entry Applicant hired under the Lateral Entry Program prior to the expiration of this Agreement; and
- e. Any eligibility list actively in use containing Lateral Entry Applicants who have satisfied the conditions of the Lateral Entry Program prior to the expiration of this Agreement will remain in effect for its duration unless exhausted sooner.

### **ARTICLE 10 COMPENSATORY TIME**

As permitted by the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 207(o), the City may compensate Police Officers with compensatory time in lieu of overtime compensation required by the FLSA, 29 U.S.C. § 207. Such compensatory time will be at a rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required by 29 U.S.C. § 207. Police Officers shall accrue overtime based on a 40-hour work week.

The Police Officer has the option prior to accepting the work assignment to refuse such compensatory time off and elect to be paid overtime at one and one-half the Police Officer's regular rate of pay. This Article supersedes any and all contrary agreements or understandings related to

compensatory time arrived at between the City and any Police Officer during the term of this Agreement. If this Agreement expires, any lawful contracts or understandings that were made with individual Police Officers regarding compensatory time, including that contained in existing policy, will apply.

The City has difficulty filling assignments for Police Officers to work overtime for the Special City Events. To incentivize Police Officers to work overtime during the Special City Events, the Parties agree that beginning September 1, 2017 and continuing thereafter during the term of this Agreement, Police Officers working overtime during any one or more of the Special City Events shall have the option to elect to be compensated by either: (i) the payment of overtime compensation at the rate equal to one and one-half (1.5) times the Police Officer's regular rate of pay plus one-fourth (.25) of an hour of compensatory time for every overtime hour worked; or (ii) compensatory time in lieu of overtime compensation at the rate equal to one and three-fourths (1.75) hours for every hour of overtime worked.

Police Officers shall be allowed to accrue compensatory time (which shall include but shall not be limited to any compensatory time earned for working Special City Events) up to a maximum accrual of one hundred and twenty (120) hours. This Article does not address the determination of overtime hours which is subject to City policy.

## **ARTICLE 11 APPOINTMENTS OF ASSISTANT CHIEFS**

### **Section 1. Appointment of Assistant Chief**

The Association recognizes the existing right of the Chief to appoint two (2) Assistant Chiefs which is one rank immediately above the rank of Captain and one rank immediately below the Chief in the chain of command. This Agreement does not create additional positions within the rank of Assistant Chief nor limit the right of the City to do so in the future. As vacancies occur in the rank of Assistant Chief, the Chief shall either appoint a Police Officer or permanently abolish the position within ninety (90) Calendar days in accordance with this Section. Positions within the rank of Assistant Chief shall be filled by the Chief at the Chief's sole discretion, within ninety (90) Calendar days of a vacancy occurring in that rank. Police Officers appointed to this rank shall have a minimum of five (5) years' experience in a supervisory rank in addition to existing eligibility requirements in TLGC Chapter 143, and be subject to overall City policies and regulations. The appointment of the Chief shall not be subject to any appeal or review under TLGC Chapter 143 or this Agreement or to any other administrative or judicial body.

Any Police Officer promoted to the rank of Assistant Chief shall be required, as a condition to the appointment as Assistant Chief, to have successfully completed a Bachelor's degree from an Accredited College or University. The Accredited College or University must be accredited either at the time the Bachelor's degree was conferred or at the time of appointment to the rank of Assistant Chief. The loss of accreditation of a college or university that was accredited either at the time the Bachelor's degree was conferred or at the time of appointment to the rank of Assistant Chief shall not affect or impair a Police Officer's appointment to the rank of Assistant Chief. Any Police Officer who is being considered for appointment to the rank of Assistant Chief and who desires to accept such appointment shall present proof of the successful completion of a Bachelor's

degree from an Accredited College or University to the Chief within fourteen (14) Calendar days after request by the Chief. Any transcript shall be provided to the City in a sealed envelope from the Accredited College or University. Any Police Officer appointed to the rank of Assistant Chief may be demoted to their last civil service protected rank at the sole discretion of the Chief without appeal to the Commission and/or Hearing Examiner. Any Police Officer appointed to Assistant Chief may, further, voluntarily return to their last civil service protected rank at any time. Upon demotion or voluntary return to that previously-held civil service protected rank pursuant hereto, the Police Officer shall receive thereafter the full benefits provided in TLGC Chapter 143 and this Agreement as if the Police Officer had served in that rank on a continuous basis throughout the Police Officer's tenure as Assistant Chief, and any other non-civil service protected appointed rank. If no vacancy exists in the previously held civil service protected rank, the least senior Police Officer in that rank will be demoted and placed on a preference list for promotion prior to appointment of any Police Officer on any eligibility list for that rank. This same process will apply to any lower rank where there exists no vacancy for the demoted Police Officer. A Police Officer appointed to the rank of Assistant Chief may be terminated for cause, provided that such termination shall be subject to appeal in the same manner as applicable to all classified Police Officers in the Department.

## **ARTICLE 12 CLOSING STATEMENTS**

### **Section 1. Complete Agreement**

The Parties agree that each has had the full and unrestricted right and opportunity to make, advance, and discuss all matters properly within the province of bargaining for a meet and confer agreement. This Agreement constitutes the full and complete agreement of the Parties and there are no others, oral or written, except as herein contained. No alteration, amendment or variation of this Agreement's terms shall bind the Parties unless made, executed and voted on by the parties as required by TLGC Chapter 142. A failure of the City or the Association to insist in any one or more instances upon performance of any terms or condition of this Agreement shall not be considered as a waiver or relinquishment of the right of the City or the Association to future performance of any such term or condition, and the obligations of the City and the Association to such future performance shall continue in full force and effect.

### **Section 2. Preemption**

Pursuant to TLGC § 142.067, the provisions of this Agreement shall supersede and preempt, during the term of this Agreement (including during the period that any terms or provisions of this Agreement survive beyond the expiration of the Agreement as expressly provided herein) and to the extent of any conflict, any contrary provision of TLGC Chapters 141, 142 or 143, the Local Rules, the City of Mesquite General Government Policy and Procedures Manual, any other state statute as amended from time to time, or any ordinance, executive order, civil service provision, or rule adopted by the Chief, the City, or the Commission.

### **Section 3. Savings Clause**

Should any provision of this Agreement be found to be inoperative, void or invalid by a court of competent jurisdiction, all other provisions of this Agreement shall remain in full force and effect for the duration of this Agreement, it being the intention of the Parties that no portion of this Agreement or provision herein shall become inoperative or fail by reason of the invalidity of any other portion or provision.

### **Section 4. Duration and Extension**

This Agreement shall be effective as of September 1, 2017, and shall remain in effect through August 31, 2019. If the Parties are engaged in negotiations for a successor agreement at the time this Agreement would otherwise expire, the Association's and the City's meet and confer negotiating teams shall have the authority to extend this Agreement in thirty (30) day increments by mutual written agreement(s) signed by the President of the Association and by the City Manager, or the City Manager's designee, provided, however, in no event shall this Agreement be extended pursuant to this Section beyond February 29, 2020.

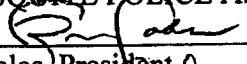
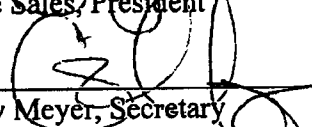
### **Section 5. Miscellaneous Provisions**

Each Party to this Agreement represents that it has the power and authority to enter into this Agreement, that the person executing this Agreement on behalf of such Party has the authority to bind such Party and that all formal requirements necessary to authorize such Party to enter into this Agreement have been fully complied with.

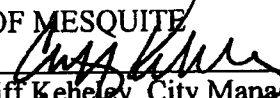
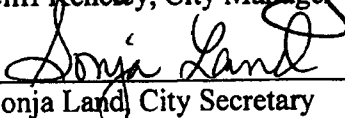
This Agreement may be executed in any number of original, facsimile or electronically-scanned counterparts, each of which shall be considered an original and all of which shall be considered one and the same instrument.

This Agreement shall be effective only upon execution by both the City and the Association.

IN WITNESS WHEREOF, the Association has caused this Agreement to be signed by its President, by order of its membership, and the City has caused this Agreement to be signed by its City Manager on the dates set forth below. The effective date of this Agreement shall be September 1, 2017.

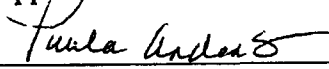
MESQUITE POLICE ASSOCIATION  
By:   
Bruce Sales, President  
By:   
Cindy Meyer, Secretary

Executed this 24 day of August, 2017

CITY OF MESQUITE  
By:   
Cliff Keheley, City Manager  
By:   
Sonja Land, City Secretary

Executed this 23 day of August, 2017

Approved As to Form:

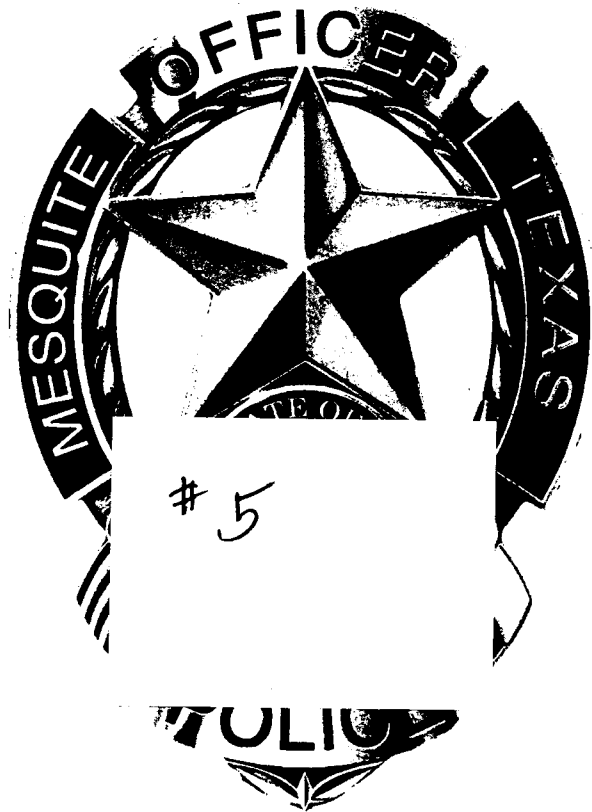
  
Paula Anderson, Deputy City Attorney

# Officer Involved Shootings

DATE	OFFICER	SUSPECT RACE	SUSPECT GENDER	SUSPECT INJURIES	SUSPECT ARMED?	SUSPECT WEAPON	WITHIN POLICY
11/16/2013	N. Sierra	Black	Male	Injured	Yes	Vehicle	Yes
10/30/2015	C. Crabtree / A. Sparling	Hispanic	Male	Deceased	Yes	Firearm	Yes
1/19/2016	M. Kelly	White	Male	Deceased	Yes	Firearm	Yes
6/5/2016	E. Zimmerman / D. Higginson / C. Ables	Black	Male	Injured	Yes	Vehicle	Yes
11/8/2017	D. Wiley	Black	Male	Injured	No	N/A	No/Indefinite Suspension
5/16/2018	M. Reinhart	Black	Male	Injured	No	N/A	Yes
6/25/2018	C. Copeland / Christopher Odom / P. Wathen	White	Male	Deceased	Yes	Firearm	Yes
11/22/2018	J. Andersen	Black	Male	Injured	Yes	Firearm	Yes

#  
798

# MESQUITE POLICE DEPARTMENT



Code of Conduct  
General Orders

2013



# MESQUITE POLICE DEPARTMENT

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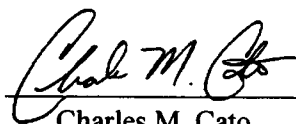
The mission of the Mesquite Police Department includes:

- the protection of life and property,
- the preservation of the peace and the suppression of disorder,
- the prevention of crime and the promotion of traffic safety,
- the apprehension of offenders and the recovery of stolen property, and
- the enforcement of city ordinances, state laws and federal laws within the framework of law and societal expectations.

The accomplishment of the police mission in a professional manner requires the concerted and directed efforts of each employee. This manual is intended to consolidate and codify the policies and procedures under which the Mesquite Police Department operates.

Each member of the department is expected to know and apply the policies and procedures set forth herein. Each member is also charged with the responsibility of bringing any policy or provision which may be outdated or otherwise in need of revision to the attention of the Chief of Police, in writing through the chain of command. However, the directives included in this manual remain in effect until rescinded or revised by the Chief of Police.

Although issued to each member of the department, this manual remains the property of the Mesquite Police Department.



Charles M. Cato  
Chief of Police

### **Law Enforcement Code of Ethics**

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

## TABLE OF CONTENTS

### Code of Conduct

Chapter 1 - Purpose.....	i
Chapter 2 - Scope.....	i
Chapter 3 - Uniform, Equipment, and Appearance.....	ii
Chapter 4 - Professional Conduct and Personal Bearing .....	iii
Chapter 5 - Responsibilities and General Conduct .....	vi
Chapter 6 - Protection of Prisoners Rights and Property .....	viii
Chapter 7 - Public Activities.....	ix
Chapter 8 - Civil, Criminal, Judicial, and Investigative Actions .....	ix
Chapter 9 - Effective Date .....	xi

### 100.00 ADMINISTRATION

100.00 Administration and Organization of General Orders .....	3
101.00 Personnel Complaints & Discipline .....	5
102.00 Key, Combination, and Password Control.....	17
103.00 Special Reports .....	19
104.00 Part-time (Off-duty) Employment .....	21
105.00 Employee Lunch and Refreshment Breaks .....	25
106.00 Reporting of Employee Illness or Injury to Supervisor .....	27
107.00 Jury Duty.....	29
108.00 Overtime .....	31
109.00 Authority to Dismiss Criminal Charges.....	35
110.00 Accident Review Board .....	39
111.00 Public Information .....	41
112.00 Records Retention and Storage.....	43
113.00 Vacation Scheduling .....	45
114.00 Investigation of Police-related Death or Serious Injury.....	47
115.00 Public Information Officer.....	51
116.00 Temporary Supervision.....	53
117.00 Meritorious Conduct Board .....	55
118.00 County Court Standby System.....	61
119.00 Probation Review.....	63
120.00 Drug and Alcohol Policy .....	65
121.00 Nepotism .....	69
122.00 Lateral Transfer Process.....	71
123.00 Unintentional Discharge .....	73
124.00 Background Investigations for Selection of Employees .....	75
125.00 Employee Safety and Accident Prevention.....	77
126.00 After Action Report .....	79
127.00 Maintaining Compliance with Texas Law Enforcement Best Practices .....	81
128.00 Responsibility for Accurately Reporting Work Time .....	84.1
129.00 Social Media .....	84.3
130.00 Travel Policy .....	84.7

### 200.00 OPERATIONS

201.00 Operation of Emergency Vehicles .....	87
201.50 Pursuit Driving Policy.....	89
202.00 Severe Weather Watch Procedures .....	99
203.00 Attention to Duty .....	101
204.00 Delivery of Death Messages .....	103
205.00 Handling of Mentally Ill Persons .....	105

206.00 Vehicle Impoundments .....	109
207.00 Juvenile Guidelines and Policies .....	115
208.00 Tactical Team .....	123
209.00 Procedural Guidelines Regarding Investigative Prisoners .....	125
210.00 Investigative Suspension Guidelines .....	127
211.00 Expediter System .....	129
212.00 Procurement and Execution of Warrants of Arrest or Search .....	131
213.00 Use of Less-Lethal and Lethal Force .....	135
214.00 Bomb Threat/Fire Call Response .....	143
215.00 Dispatch of Calls for Service .....	149
216.00 Responding to and Reporting Offenses, Incidents and Motor Vehicle Accidents .....	151
217.00 Robbery Alarm Response .....	155
218.00 Arrest Authorization .....	157
219.00 9-1-1 Call Response .....	159
220.00 Class C Misdemeanor Case Procedure .....	163
221.00 High Risk Vehicle Stops/Apprehensions .....	167
222.00 Family Violence .....	169
223.00 Civil Standby, Protective Orders and Court Ordered Assistance .....	173
224.00 Undercover/Plain Clothes Operations .....	179
224.50 Expenditure of Funds in Criminal Investigations .....	183
225.00 Forfeiture of Contraband .....	185
226.00 Electronic Evidence Gathering .....	189
227.00 FTO Training Officer Program .....	191
228.00 DTO Training Officer Program .....	193
229.00 Bias Based Policing .....	195
230.00 Ride-Along Program .....	199
231.00 Mobile Video Camera System .....	201
231.50 Use of Body Worn Camera .....	202.1
232.00 Problem Oriented Policing (P.O.P.) Program .....	203
233.00 Alarm Response .....	205
234.00 Sequential Photographic Lineups and Field Identifications .....	209
235.00 Patrol Ride Outs .....	211
236.00 Traffic Enforcement Operations .....	213
237.00 Handling Missing Persons .....	215
238.00 Barricaded Suspects and Hostage Incident Response .....	219
239.00 Sex Offender Registration .....	221
240.00 Large-Scale Arrest Procedures .....	223
241.00 Municipal Court Operations .....	225
242.00 Searches Without a Warrant .....	227
243.00 Crisis Negotiations Team .....	229
244.00 Civil Disturbances .....	231
244.50 Special Response Team .....	232.1
245.00 Performance Evaluations – Sworn Personnel .....	233
246.00 CID After-Hours Callout .....	234.1
247.00 Police Canine .....	234.3
248.00 Active Shooter Response .....	234.15
<b>300.00 AUXILIARY SERVICES</b>	
301.00 Electronic Recording of Operations .....	237
302.00 Police Building/City Hall Security .....	239

303.00 N-Code System .....	241
304.00 Physical Evidence Section .....	243
305.00 DWI Arrest Procedures .....	245
306.00 Evidence and Impounded Property .....	249
307.00 Handling Prisoners.....	255
308.00 Prisoner Transports from Local Jail Facilities to Mesquite .....	261
309.00 Visitor Identification .....	263
310.00 Flag Display upon the Death of Government Official or Employee.....	265
311.00 Texas Law Enforcement Telecommunications System .....	267
312.00 Communicable Diseases .....	275
313.00 Procedural Guidelines - Suicides or Attempt Suicides in Jail.....	281
314.00 Police Family Support Team.....	285
315.00 Physical and Mental Welfare of Prisoners .....	295
316.00 Mesquite Police Department Workout Facility.....	301
317.00 Crime Prevention Deployment Vehicle Program .....	303
318.00 Fire Emergency Plan.....	307
<b>400.00 APPEARANCE, UNIFORM &amp; EQUIPMENT</b>	
401.00 Police Vehicles.....	311
402.00 Personal Appearance.....	315
403.00 Firearms Equipment and Training .....	321
404.00 Uniform Accompaniments.....	325
405.00 Training.....	329
<b>500.00 EXTERNAL RELATIONSHIPS</b>	
501.00 City Equipment Malfunctions.....	333
502.00 Incidents on Eastfield College Campus .....	335
503.00 Operations Outside Mesquite City Limits.....	337
504.00 Mesquite Police – Mesquite ISD Procedural Guidelines.....	339
505.00 Boarding of Prisoners .....	341
<b>600.00 MISCELLANEOUS / OTHER</b>	
601.00 Political Activity .....	345
602.00 Employee Transportation.....	347

## **Exhibits**

Exhibit No. 100-1 Garrity Statement .....	15
Exhibit No. 100-2 Internal Affairs Personnel Complaint Warning Form .....	16
Exhibit No. 100-3 Memorandum Sample .....	20
Exhibit No. 100-4 Application to Engage in Off-Duty Employment .....	24
Exhibit No. 100-5 Municipal Court Notice to Appear.....	36
Exhibit No. 100-6 Dismissal of Charges/Release Pending Analysis.....	37
Exhibit No. 200-1 Pursuit Analysis Report .....	96
Exhibit No. 200-2 Apprehension by Peace Officer without Warrant .....	108
Exhibit No. 200-3 Impounded Vehicle Report .....	113
Exhibit No. 200-4 Juvenile Release Agreement .....	120
Exhibit No. 200-5 Juvenile Charging Information DA Juvenile Division.....	121
Exhibit No. 200-6 Field Interview / Intelligence Form.....	122
Exhibit No. 200-7 Deadly Force .....	141
Exhibit No. 200-8 Bombs and Bomb Threats.....	145
Exhibit No. 200-9 Summons Information.....	164
Exhibit No. 200-10 Assault Affidavit .....	165

Exhibit No. 200-11 Family Violence / Domestic Disturbance Arrest Form.....	171
Exhibit No. 300-1 Statutory Authorization Mandatory Blood Specimen.....	247
Exhibit No. 300-2 Visitor Identification Log.....	263
Exhibit No. 300-3 Notification of Possible Exposure to Communicable Disease (Front).....	279
Exhibit No. 300-4 Notification of Possible Exposure to Communicable Disease (Back).....	280
Exhibit No. 300-5 Jail Suicide Checklist.....	283
Exhibit No. 300-6 Workout Facility Release of Liability.....	302
Exhibit No. 300-7 Crime Prevention Deployment Vehicle Program Agreement.....	305
Exhibit No. 400-1 Uniform Accompaniments.....	327

---

## REFERENCE

---

1	Accident Review Board .....	39
2	Active Shooter Response .....	234.15
3	Administration and Organization of General Orders .....	3
4	After Action Report .....	79
5	Alarm Response .....	205
6	Arrest Authorization .....	157
7	Attention to Duty .....	101
8	Authority to Dismiss Criminal Charges .....	35
9	Background Investigations for Selection of Employees .....	75
10	Barricaded Suspects and Hostage Incident Response .....	219
11	Bias Based Policing .....	195
12	Boarding of Prisoners .....	341
13	Bomb Threat/Fire Call Response .....	143
14	CID After-Hours Callout .....	234.1
15	City Equipment Malfunctions .....	333
16	Civil Disturbances .....	231
17	Civil Standby, Protective Orders and Court Ordered Assistance .....	173
18	Class C Misdemeanor Case Procedure .....	163
19	Communicable Diseases .....	275
20	County Court Standby System .....	61
21	Crime Prevention Deployment Vehicle Program .....	303
22	Crisis Negotiations Team .....	229
23	Delivery of Death Messages .....	103
24	Dispatch of Calls for Service .....	149
25	Drug and Alcohol Policy .....	65
26	DTO Training Officer Program .....	193
27	DWI Arrest Procedures .....	245
28	Electronic Evidence Gathering .....	189
29	Electronic Recording of Operations .....	237
30	Employee Lunch and Refreshment Breaks .....	25
31	Employee Safety and Accident Prevention .....	77
32	Employee Transportation .....	347
33	Evidence and Impounded Property .....	249
34	Expediter System .....	129
35	Expenditure of Funds in Criminal Investigations .....	183
36	Family Violence .....	169
37	Fire Emergency Plan .....	307
38	Firearms Equipment and Training .....	321
39	Flag Display upon the Death of Government Official or Employee .....	265
40	Forfeiture of Contraband .....	185
41	FTO Training Officer Program .....	191
42	Handling of Mentally Ill Persons .....	105
43	Handling Prisoners .....	255
44	Handling Missing Persons .....	215
45	High Risk Vehicle Stops/Apprehensions .....	167
46	Incidents on Eastfield College Campus .....	335
47	Investigation of Police-related Death or Serious Injury .....	47
48	Investigative Suspension Guidelines .....	127

## REFERENCE

49	Jury Duty .....	29
50	Juvenile Guidelines and Policies .....	115
51	Key, Combination, and Password Control .....	17
52	Large-Scale Arrest Procedures .....	223
53	Lateral Transfer Process .....	71
54	Maintaining Compliance with Texas Law Enforcement Best Practices.....	81
55	Meritorious Conduct Board .....	55
56	Mesquite Police Department Workout Facility .....	301
57	Mesquite Police – Mesquite ISD Procedural Guidelines.....	339
58	Mobile Video Camera System.....	201
59	Municipal Court Operations .....	225
60	N-Code System.....	241
61	9-1-1 Call Response.....	159
62	Nepotism.....	69
63	Operation of Emergency Vehicles.....	87
64	Operations Outside Mesquite City Limits .....	337
65	Overtime .....	31
66	Part-time (Off-duty) Employment .....	21
67	Patrol Ride Outs.....	211
68	Performance Evaluations – Sworn Personnel.....	233
69	Personal Appearance .....	315
70	Personnel Complaints & Discipline.....	5
71	Physical and Mental Welfare of Prisoners.....	295
72	Physical Evidence Section.....	243
73	Police Building/City Hall Security .....	239
74	Police Canine.....	234.3
75	Police Family Support Team .....	285
76	Police Vehicles .....	311
77	Political Activity .....	345
78	Prisoner Transports from Local Jail Facilities to Mesquite .....	261
79	Probation Review .....	63
80	Problem Oriented Policing (P.O.P.) Program.....	203
81	Procedural Guidelines Regarding Investigative Prisoners .....	125
82	Procedural Guidelines - Suicides or Attempt Suicides in Jail .....	281
83	Procurement and Execution of Warrants of Arrest or Search .....	131
84	Public Information.....	41
85	Public Information Officer .....	51
86	Pursuit Driving Policy .....	89
87	Maintaining Compliance with Texas Law Enforcement Best Practices.....	81
88	Records Retention and Storage.....	43
89	Reporting of Employee Illness or Injury to Supervisor .....	27
90	Responding to and Reporting Offenses, Incidents and Motor Vehicle Accidents .....	151
91	Responsibility for Accurately Reporting Work Time.....	84.1
92	Ride-Along Program.....	199
93	Robbery Alarm Response.....	155
94	Searches Without a Warrant .....	227
95	Sequential Photographic Lineups and Field Identifications .....	209
96	Severe Weather Watch Procedures.....	99
97	Sex Offender Registration .....	221
98	Social Media .....	84.3
99	Special Reports .....	19
100	Special Response Team.....	232.1



---

## REFERENCE

---

101	Tactical Team .....	123
102	Temporary Supervision .....	53
103	Texas Law Enforcement Telecommunications System .....	267
104	Traffic Enforcement Operations .....	213
105	Training .....	329
106	Travel Policy .....	84.7
107	Undercover Operations .....	179
108	Uniform Accompaniments .....	325
109	Unintentional Discharge .....	73
110	Use of Body Worn Cameras .....	202.1
111	Use of Less-Lethal and Lethal Force .....	135
112	Vacation Scheduling .....	45
113	Vehicle Impoundments .....	109
114	Visitor Identification .....	263

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## REFERENCE

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# Mesquite Police Department



## Code of Conduct

### Chapter 1 - Purpose

- 1.1 The Code of Conduct of the Mesquite Police Department is designed to promote efficiency, discipline, and good public relations by setting forth policies governing the conduct of every employee of the Department. Observation of the provisions of this code will contribute to the maintenance of public confidence in the Mesquite Police Department.
- 1.2 This Code of Conduct is intended for departmental use only and does not apply in any criminal or civil proceeding. Departmental policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of departmental policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

### Chapter 2 - Scope

- 2.1 The provisions of the Written Directives shall be observed by all employees of the Department in order to maintain the confidence, respect, and support of the public.
- 2.2 Violations of the Written Directives, departmental orders or regulations, Chapter 143 of the Local Government Code, the City of Mesquite Civil Service Rules and Regulations, the Charter of the City of Mesquite, the ordinances of the City of Mesquite, and/or the laws of the State of Texas or the United States shall subject the offender to disciplinary action which may take the form of a verbal or written reprimand, reduction in rank, grade, or step, uncompensated duty, and/or suspension or discharge from employment. Action taken will depend on the degree of severity of the offense, the record of the offender, and the seriousness of the consequences of the violation.
- 2.3 Disciplinary action will be in accordance with the City of Mesquite Civil Service Rules and Regulations and Chapter 143 of the Local Government Code.
- 2.4 It shall be the duty of all employees to report to a supervisor (and take corrective action when required) any violation or suspected violation of the Written Directives, the City of Mesquite Civil Service Rules and Regulations, Chapter 143 of the Local Government Code, the Charter of the City of Mesquite, the ordinances of the City of Mesquite, and/or the laws of the State of Texas or the United States by any employee of the department.
  - A. Should the violation involve an incident of a serious nature, the employee detecting the violation shall notify the offender's on-duty supervisor. A lieutenant or above may relieve the offender from duty with pay, take custody of any credentials and firearms issued by the department, and instruct the offender to report the next business day at 11:00 a.m. to the office of the Chief of Police.
  - B. A special report of the incident shall be submitted by the reporting employee or supervisor.

- 2.5 When a violation involves neither gross misconduct nor moral turpitude but could cause discredit to the Department or any employee thereof, a report shall be made in writing setting out the known facts of the case and an investigation initiated to determine the nature and degree of the violation.
- 2.6 Minor violations which do not involve gross misconduct or moral turpitude and which will not reflect discredit upon the Department, but which indicate a need for some form of summary discipline and/or training, may be handled by the offender's supervisor.
- 2.7 No employee shall procure appointment in the Department by means of willful misrepresentation or omission of any fact concerning his personal history, qualifications for employment, or physical condition.
- 2.8 Employees are required to establish and maintain a working knowledge of the Written Directives, of all laws and ordinances in force in the City of Mesquite, and the written rules and policies of the Department and divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the law, rule, or policy in question.
- 2.9 The failure to comply with the Written Directives and all other orders, policies, and directives issued by proper authority will subject the offender to disciplinary actions as prescribed in Chapter 2, Section 2.2, of the Code of Conduct.
- 2.10 Any employee who, by an act or conduct, attempts to violate or conspires with any person to violate the Written Directives, departmental orders or regulations, the City of Mesquite Civil Service Rules and Regulations, Chapter 143 of the Local Government Code, the Charter of the City of Mesquite, and/or the laws of the State of Texas or the United States shall be subject to the same discipline as though the actual violation had been accomplished.
- 2.11 No employee is given or will be given any property right or expectation of any property right to any assignment, duty, area of specialization, training, work schedule, duty hours, working conditions, or expectation of overtime availability in the Mesquite Police Department, except as may be provided by law. All assignments in the Mesquite Police Department are temporary rather than permanent assignments. Assignments are based on the overall needs of the Mesquite Police Department and are subject to change by the Mesquite Police Department at any time, with or without notice. Changes in assignment or any other working conditions (except as may be made under the Local Government Code, Section 143.032, 143.035, 143.052, or 143.054) do not constitute a promotion, demotion, or adverse personnel action. No representation to the contrary by any employee of the Mesquite Police Department may supersede this departmental policy.
- 2.12 Employees hired as Police Officers shall not take enforcement action prior to obtaining a Texas Peace Officer license.

### **Chapter 3 - Uniform, Equipment, and Appearance**

- 3.1 Uniforms shall be kept neat, clean, in good repair, and well pressed at all times.
- 3.2 All employees shall wear the duty uniform on a tour of duty. However, supervisors the rank of lieutenant or above may prescribe other clothing to be worn as required by the nature of the duty to which a particular employee is assigned. Officers whose duty assignments normally require civilian clothing shall maintain at least one uniform that is readily accessible in case of call-back to uniformed duty.
- 3.3 No employee shall wear his uniform, or any part of it for personal purposes or use, where such wearing could result in discredit or embarrassment to the Department.
- 3.4 No employee shall wear any item on the uniform not specifically authorized by order of the Chief of Police.
- 3.5 Officers shall carry their official identification card at all times.
- 3.6 Employees shall report for duty clean-shaven, with hair neatly trimmed. Mustaches, beards, sideburns, and hair length shall be governed by current departmental order.

- 3.7 Officers performing an enforcement or investigative function shall be armed while on duty, unless precluded by policy or directive. Officers performing administrative or support functions at police headquarters shall have sidearms available at their duty stations. Sidearms shall conform to the standards set forth in current directives.
- 3.8 Officers in civilian clothes shall normally conceal their weapon, badge, handcuffs and any other police related equipment that would identify a person as a police officer while in public view, specifically at businesses, restaurants, and schools. Exceptions: City of Mesquite buildings and when conducting police business where it is appropriate that other parties be able to easily identify a police officer (example: contacting a party to an investigation at a residence).
- 3.9 No employee shall wear a police uniform while under suspension. An officer shall immediately surrender his badge and official identification card, upon request, to the supervisor notifying him of his suspension.
- 3.10 Improper or negligent handling of or willful damage to city property is a violation of this Code.
- 3.11 No employee shall negligently cause the loss of, damage to, or destruction of any property or equipment belonging to the Mesquite Police Department. Employees may be required to make restitution of a loss or damage to Mesquite Police Department property if loss or damage is the result of negligence on the part of the employee.
- 3.12 Employees shall promptly report the need for repairs of any city-owned property issued to, used, or possessed by them to the city department officially charged with the maintenance of such property.
- 3.13 Employees assigned a police vehicle, home storage or pool, shall inspect it daily and report immediately to their supervisor any new vehicle damage. If an incident occurs during operation of the vehicle which should cause the employee to reasonably believe that the vehicle has been damaged, the employee shall inspect the vehicle for damage as soon as possible, and report immediately to the supervisor any new damage.
- 3.14 No employee shall alter, repair, or in any way change, add to, or remove any parts or accessories of any city-owned property without authorization. This includes buildings, office equipment, machines, clothing, firearms, communication equipment, and motor vehicles.
- 3.15 No employee shall use city equipment, supplies, funds, or services for personal purposes, except as authorized by explicit written order [for example: approved off-duty use of a home-storage vehicle].
- 3.16 An employee may be reimbursed for 50% of the replacement cost of personal property damaged during performance of duty, up to a maximum of \$100. A receipt documenting replacement/repair cost of the property may be required. Each claim will be subject to review.
- 3.17 Officers shall not use any equipment that does not conform to departmental policy. All equipment shall be worn, carried and/or used only as issued and authorized by the department, and no changes, alterations, modifications, or substitutions shall be made to said equipment unless approved by the Chief of Police. Additionally, any non-issued equipment must be approved by the Chief of Police or his designee before its use by officers.
- 3.18 All city owned equipment will be issued from the property room. Employees must sign for all city issued equipment. Upon conclusion of employment, the employee must sign the property or equipment back in to the property room. Tactical equipment will be issued by the Tactical Quarter Master.

#### **Chapter 4 - Professional Conduct and Personal Bearing**

- 4.1 Dereliction of duty on the part of any employee, detrimental to the proper performance of the functions of the department, is cause for disciplinary action. Disciplinary action will be taken according to the degree of severity of the violation, the results brought about by the

dereliction, and the affect it has upon the discipline, good order, and best interest of the Department. Dereliction of duty may include, but is not limited to:

- A. Failure of a supervisor to immediately take action when a violation of rules or regulations comes to his attention, regardless of the supervisor's or violator's assignment or rank within the Department.
  - B. Failure to observe and give effect to the policies of the Department.
  - C. Failure to deliver to the official departmental custodian any property found by, confiscated by, or relinquished to officers of this Department without unnecessary delay and, in any event, before their tour of duty is ended.
  - D. Failure to place evidence in its officially designated place for preservation and storage.
  - E. Failure to give last name and identification number to any person upon request. The provision of name and identification number may be orally or in writing.
  - F. To be under the influence of drugs or to be a user of drugs when such drugs are not prescribed by a physician or dentist or to take drugs in a manner not prescribed by a physician or dentist, or to be under the influence of prescription drugs which results in a state of intoxication or impairment that may be a hazard to safety. The use of medications that are legally available over-the-counter is excluded, unless such use results in a state of intoxication or impairment that is clearly a hazard to safety. The failure of any employee to notify a supervisor when reasonable suspicion exists of improper drug or alcohol use or possession by another employee, is a violation of policy.
  - G. Unnecessary or excessive use of force or harassment toward any person.
  - H. Disrespect shown to a supervisor, subordinate, or other employee.
  - I. Use of indecent, profane, or harsh language in the performance of official duties.
  - J. To accept, agree to accept, or solicit a bribe. (A bribe shall be defined as a gift, emolument, money, thing of value, testimonial, appointment or personal advantage, or the promise or solicitation of same for the purpose of obtaining special privileges or personal gain by the donor or other person.)
  - K. Cowardice or failure to perform police duties because of danger.
  - L. Any irresponsible action which places any person in greater danger than is necessary for the proper performance of the employee's duties.
  - M. Failure or refusal to perform assigned work or fully comply with instructions or lawful orders as requested by appropriate authorities; failure or refusal to fully cooperate with official investigations. Acts of defiance towards a supervisor including but not limited to arguing about assignments, talking back, walking away from or ignoring a supervisor while being addressed, deliberate attempts to undermine or put the supervisor in a false light, deliberate falsification or misrepresentation of facts which would place the police department in an unfavorable light and cause the public to lose confidence in the police department.
  - N. Neglect of duty.
- 4.2 No employee shall engage in any conduct which constitutes conduct unbecoming an officer. Conduct unbecoming an officer shall mean any personal conduct or action which, if brought to the attention of the public, could result in justified unfavorable criticism of that employee or the department; any action or conduct by an employee that could cause the public to lose confidence in the department; and/or any personal involvement by an employee in a disturbance or police incident to his discredit.
- 4.3 Employees shall treat supervisors, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.
- 4.4 Employees shall not publicly criticize or ridicule the Department, its policies, or other employees by talking, writing, or expressing in a manner which:

- A. Is defamatory.
  - B. Is obscene.
  - C. Is unlawful.
  - D. Tends to impair the operation of the department by interfering with its efficiency, by interfering with the ability of supervisors to maintain discipline, or by a reckless disregard for the truth.
- 4.5 No employee shall at any time ridicule, mock, deride, taunt, or belittle any person. Neither shall he willfully embarrass, humiliate, nor shame any person or do anything that might incite any person to violence.
- 4.6 No employee shall use racial slurs or recite ethnic jokes or humor or in any manner cast negative characteristics on any race, sex or religion.
- 4.7 No employee shall conduct himself in the offices and buildings of the Department in a manner which would discredit the police service.
- 4.8 No employee shall engage in any form of gambling in the police squad rooms, locker rooms, assembly rooms, or any other police facilities.
- 4.9 No employee shall use loud, indecent, profane, or harsh language in the presence of the public. A loud voice, where necessary to communicate in crowd or high noise level conditions, is not a violation of this section. Employees shall be courteous and civil in dealing with the public.
- 4.10 No employee shall engage in "horseplay" or the playing of pranks while on duty. Such conduct is prohibited.
- 4.11 No employee shall solicit any funds for the purpose of buying a gift for any employee of the Department. However, employees may solicit nominal amounts from employees of the department for gifts for employees leaving the employ of the Department, or for special circumstances with authorization by the Chief of Police.
- 4.12 No employee shall receive any money or gifts from any type of solicitation related to his police employment, except when leaving the employ of the Department or for special circumstances approved by the Chief of Police.
- 4.13 Employees shall not under any circumstances solicit any gift, gratuity, loan, or fee where there is any direct or indirect relation between the solicitation and their departmental membership except as provided by law and approved by the Chief of Police.
- 4.14 Employees shall not accept, either directly or indirectly, any gift, gratuity, reward, loan, fee, discount, rebate, or special consideration arising from or offered because of police employment or any activity connected with such employment that might reasonably tend to influence him in the discharge of his official duties.
- 4.15 No employee shall receive any gift or gratuity from employees junior in rank without the expressed written permission of the Chief of Police.
- 4.16 No supervisor shall offer or give any reward or special privilege to any employee of the Department for job performance.
- 4.17 Employees shall not buy anything from or sell anything to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention through their employment with the Department, nor shall they act as an intermediary in the payment of a reward for the return of stolen property without prior written authorization by the Chief of Police. This does not prohibit an employee from dealing with legitimate places of business.
- 4.18 Any reward paid or sent to any employee shall be promptly turned in by that employee to the Chief of Police, for deposit in a designated fund to be used for the benefit of the Department.
- 4.19 Uniformed employees shall render a military salute to the United States flag and national anthem at appropriate times, whether wearing a hat or not. Employees in civilian dress shall render proper civilian honors to the United States flag and national anthem at appropriate times.

- 4.20 No employee shall gossip about matters affecting the Mesquite Police Department or about any employee of the Mesquite Police Department. No employee shall originate or repeat rumors about matters affecting the Mesquite Police Department or about any employees of the Mesquite Police Department.
- 4.21 Employees shall protect the rights of all individuals, including but not limited to, discrimination, oppression and favoritism.

#### **Chapter 5 - Responsibilities and General Conduct**

- 5.1 For the purpose of protecting life and property, officers shall always be prepared to act any time circumstances indicate their services are required.
- 5.2 Officers shall respond without delay to all calls for police assistance. Emergency calls take precedence. However, all calls shall be answered as soon as possible consistent with normal safety precautions and traffic laws. Except under the most extraordinary circumstances or when otherwise directed by a supervisor, no officer shall fail to answer any call for service directed to him.
- 5.3 While on duty or in uniform within the city of Mesquite, officers shall at all times take appropriate action to:
  - A. Protect life and property.
  - B. Preserve the peace.
  - C. Prevent crime.
  - D. Detect and arrest violators of the law.
  - E. Enforce all federal, state, and local laws and ordinances coming within departmental jurisdiction.
- 5.4 While off duty and out of uniform, officers shall take appropriate action if required by the situation to:
  - A. Protect life and property.
  - B. Preserve the peace.
  - C. Prevent crime.
  - D. Detect and arrest violators of the law.
  - E. Enforce federal, state, and local laws and ordinances coming within departmental jurisdiction.

In most cases, appropriate action will consist of stabilization of the situation and referral of the matter to an on-duty officer for resolution.
- 5.5 The ranking on-duty supervisor at the scene of any police incident shall be in charge and responsible for the proper conclusion of that incident. In the absence of a supervisor, the senior officer present shall be in charge and responsible for the handling of the incident. The supervisor or senior officer shall remain at the scene until such time as the incident is under control, is being properly handled in accordance with existing policies, and sufficient instructions have been issued to result in the proper conclusion of that incident.
- 5.6 Employees shall, at all times, respond to the lawful orders of supervisors and other proper authorities as well as requests for police assistance from citizens. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve officers of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duty are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary. All employees shall perform their duties as required or directed by law, departmental rule, policy, or by order of a supervisor.
- 5.7 No employee shall fail or deliberately refuse to obey a lawful order given by a supervisor. If officers receive conflicting orders, they should respond to the highest ranking authority.
- 5.8 Officers are required to take appropriate police action to aid a fellow peace officer exposed to imminent danger.



- 5.9 All employees are subject to recall to duty, regardless of the duty hours assigned to that employee, in compliance with (2 V.T.C.A. Local Government Code, Chapter 142.0015 (g).
- 5.10 No employee shall be absent without leave. (Absence without leave shall mean either a failure to report for duty at the time and place of duty or the leaving of a place of duty or assignment without proper authorization.)
- 5.11 Unless otherwise directed, employees shall report to daily roll call at the time and place specified in proper dress and equipment. They shall give careful attention to orders and instructions, avoiding unnecessary talking or movement.
- 5.12 It shall be the responsibility of each employee who cannot report for duty due to illness, injury, or other circumstance to notify a supervisor in accordance with current departmental order.
- 5.13 Each employee shall keep the Department informed as to his current address and telephone number.
- 5.14 Employees shall report any change in address or telephone number within one business day of such change.
- 5.15 In instances where an employee shall be absent from his listed address and telephone number for an extended period; he shall provide information as to how he may be reached in an emergency as required by current departmental directive.
- 5.16 No employee shall work off-duty or engage in any other activity which would reasonably be expected to hinder recuperation or aggravate an incapacitation:
- A. During a scheduled duty period when he is on sick or injury leave, or
  - B. Within 8 hours prior to a scheduled duty period during which he expects to be on sick or injury leave, or
  - C. Within 8 hours after a scheduled duty period for which he was on sick or injury leave.
- 5.17 Employees shall remain alert, observant, and occupied with police business during their tour of duty. When on duty, employees shall devote their entire time and attention to the business of the Department.
- 5.18 Employees are prohibited from engaging in the following activities while on duty:
- A. Sleeping.
  - B. Recreational reading (except at meals).
  - C. Conducting private business.
  - D. Carrying any articles which distract from the proper performance of police duty.
  - E. Drinking intoxicating beverages (except in performance of a police duty, and then only with the specific consent of a lieutenant or above, and never in uniform).
  - F. Gambling (except in performance of a police duty, and then only with the specific consent of a lieutenant or above, and never in uniform).
  - G. Any sexual conduct.
  - H. Promoting a particular political or religious philosophy or position, or distributing political or religious material.
- 5.19 Employees are prohibited from following any other vocation which might conflict or interfere with their responsibility to the Department. Employees must receive permission from the Chief of Police to engage in off-duty employment or business activities. Officers are prohibited from holding a deputation or commission from any other law enforcement agency.
- 5.20 Employees shall promptly submit reports which are required by the performance of their duties or by supervisory authority.
- 5.21 Officers shall have prior approval of their supervisor before initiating undercover investigations. In cases where officers are already deployed in an undercover capacity and they begin another assignment unrelated to the existing assignment, they shall notify their supervisor within twenty-four (24) hours.

- 5.22 Employees shall not consume intoxicants to the extent that evidence of such consumption is apparent when reporting for duty, when on duty, or when in uniform, or to the extent their job performance is impaired.
- 5.23 Employees shall not consume or use any substance which, by reason of odor or other characteristic, might reasonably lead an employee or the public to conclude that the employee had consumed alcohol, or was under the influence of alcohol, while on duty or in uniform.
- 5.24 Employees shall not be intoxicated while on duty or in uniform. They shall not at any time, on or off duty, be intoxicated in public view.
- 5.25 No employee in uniform shall purchase, possess, be under the influence of, or drink intoxicants while on or off duty. Possession of intoxicants which have been lawfully seized for the purpose of transporting such intoxicants to the official departmental property control officer is not a violation of this section.
- 5.26 Employees shall not bring or keep any intoxicating liquor on departmental premises, except for the following purpose:
  - Liquor brought on departmental premises in the furtherance of a police task shall be properly identified and stored according to policy.
- 5.27 No employee shall smoke or chew tobacco or gum while making personal contacts with citizens in the performance of his duties. No employee shall smoke, chew, or use tobacco products in a city-owned/leased building. No employee shall smoke, chew or use tobacco products in a city vehicle.
- 5.28 No expenditure of money shall be made or liability incurred in the name of the City of Mesquite or the Department unless authorized by the Chief of Police.
- 5.29 No employee shall initiate or accept a toll telephone call for personal purposes. Toll calls charged to a city telephone account shall be limited to city business.
- 5.30 No employee shall permit any person to enter a police facility whose purpose is to sell goods, offer them for sale, canvass or solicit for any purpose without permission of the Chief of Police.
- 5.31 No employee shall use the address of the Department as a mailing address for personal or private purposes including, but not limited to, motor vehicle registration and drivers license records. No employee shall use Department telephone numbers as contact numbers for personal or private purposes.
- 5.32 Each employee shall cooperate with every other employee in all departmental matters.
- 5.33 Official intra departmental communications shall be conducted through the chain of command. However, no supervisor shall prohibit a subordinate employee from communicating directly with a supervisory officer, provided the subordinate first makes contact with each intermediate level in the chain of command. The office of the Chief of Police is always open to employees for discussion of individual career goals, personal matters, or other subjects not relating to operational procedures or departmental policy.
- 5.34 No employee shall send any official written communication which does not bear the name of the Chief of Police to any person outside the Department.

## **Chapter 6 - Protection of Prisoners Rights and Property**

- 6.1 No employee shall arrest any person or search any premises or person except with a warrant of arrest, a search warrant, or where such arrest or search is authorized without a warrant under the laws of the State of Texas, the United States, or the ordinances of the City of Mesquite.
- 6.2 All employees shall protect the rights of any person held in custody and no employee shall verbally abuse or use any unnecessary force against any person.
- 6.3 No employee shall falsely arrest, imprison, or direct any malicious prosecution against any person.

- 6.4 No employee shall willfully mistreat or give inhumane treatment to any person held in custody.
- 6.5 Employees shall use no greater force than necessary in effecting an arrest and maintaining custody of prisoners.
- 6.6 Officers shall use deadly force in effecting an arrest only as authorized by law and as prescribed by the general orders and other orders of the Department.
- 6.7 No employee shall negligently lose or cause to be damaged or destroyed any property or equipment belonging to a person in custody or which has come into possession of said employee by reason of his office. Employees may be required to make restitution if a loss or damage does occur as a result of negligence on the part of the employee.

#### **Chapter 7 - Public Activities**

- 7.1 No employee shall seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, or advancement. Should any employee learn of any intervention in his behalf, he shall notify his Bureau Captain.
- 7.2 No employee shall become a member of any organization, association, movement or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unconstitutional means.
- 7.3 No employee shall participate in any type of disruptive protest demonstration nor shall any employee act as a spokesman, representative, or agent for any group engaged in or planning to engage in any type of disruptive protest demonstration.
- 7.4 Except for official police duties, no employee of this Department shall associate with persons whom the employee could reasonably be expected to know were of immoral character, convicted felons, gamblers, or other persons who habitually commit violations of the law. This does not exclude an employee of this Department from associating with members of his immediate family if they fall within the aforementioned category.
- 7.5 Employees shall not permit their name or photograph to be used to endorse any product or service which is in any way connected with law enforcement without the permission of the Chief of Police. Employees shall not, without the permission of the Chief of Police, allow their name or photograph to be used in any commercial testimonial which alludes to their position or employment with the Department.
- 7.6 Debts - incurrence and payment:
  - A. Employees shall not solicit subordinates to co-sign or endorse any promissory note or other loan.
  - B. Employees shall pay all just debts and legal liabilities incurred by them.
- 7.7 No employee shall establish an inappropriate social relationship with a known victim, witness, suspect, or defendant of a department case, while such case is being investigated or prosecuted.

#### **Chapter 8 - Civil, Criminal, Judicial, and Investigative Actions**

- 8.1 The Department has jurisdiction in criminal cases only. No employee shall render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell a disturbance actually existing. This rule is not intended to prevent employees from informing any citizen as to steps necessary to institute a civil lawsuit.
- 8.2 No employee shall investigate any criminal case or personally file any criminal charge in a court of law against any person for a criminal offense committed against him or any member of his family except Class C misdemeanors occurring in the employee's presence while on duty. Other offenses that may be committed against him or members of his family shall be reported to the division of the Department having responsibility for the investigation of such offenses. The personnel of that division shall investigate and file such charges as may be proper. This section is not intended to prohibit an officer from taking immediate action as required to stabilize the situation until the arrival of the investigating officer(s).

- 8.3 Employees shall be truthful at all times, whether under oath or not.
- 8.4 Employees shall answer questions by or render material and relevant statements to a competent authority in a departmental personnel investigation when so directed.
- 8.5 No employee shall willfully misrepresent any matter, submit any false statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or departmental hearing.
- 8.6 No employee shall knowingly falsify any report, document, or record or cause to be entered any inaccurate, false, or improper information on records, documents, or reports of the Department or of any court or alter any record, document, or report except by a supplemental record, document, or report. No employee shall remove or destroy or cause the removal or destruction of any report, document, or record without authorization.
- 8.7 Employees must be present and available to testify in any court or before any grand jury in Dallas County when officially notified to appear. In criminal cases outside Dallas County and in all civil cases employees shall respond to a legal subpoena only. An employee who receives a subpoena or other directive to testify in a civil case shall immediately notify the Mesquite Police Department, in writing, through the chain of command.
- 8.8 Employees who, for a valid reason, are unable to answer an official summons must be excused by the court or grand jury at least one hour prior to the time they are scheduled to appear.
- 8.9 Any employee subpoenaed or who volunteers to testify as a witness for the defense in any criminal proceeding shall immediately notify the Mesquite Police Department upon receipt of the subpoena or of his intention to testify prior to his appearance. Any employee subpoenaed or who volunteers to testify or witness against the City of Mesquite or any other governmental body in any civil proceeding or hearing shall immediately notify the Mesquite Police Department upon receipt of the subpoena or of his intention to testify, prior to his appearance as a witness. Notifications required under this section shall be made to the Chief of Police, in writing, through the chain of command.
- 8.10 No employee shall accept a fee for service as a witness in any criminal case. Witness fees for civil court appearances may be authorized on an individual basis.
- 8.11 Employees shall not engage in any of the following conduct:
- A. Interfering with the service of lawful process.
  - B. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means.
  - C. Attempting to have any Notice to Appear on traffic citation reduced, voided, or stricken from the calendar without approval of a lieutenant or above.
  - D. Recommending a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before any grand jury without approval of a supervisor the rank of lieutenant or above.
  - E. Taking any other action which interferes with the efficiency or integrity of the administration of criminal justice or departmental discipline.
  - F. Having knowledge of such interference and failing to inform a supervisor in writing.
- 8.12 Employees shall not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. This does not apply when a relative or personal acquaintance of the officer seeks such service. In no case may such advice be given where a fee, gratuity, or reward is offered by, solicited or accepted from the attorney or bail bondsman.
- 8.13 No employee shall give any lawyer, bondsman, or the agent of either, or any other person unauthorized information regarding prisoners in confinement, property in custody, or records of the Department.

- 8.14 Employees shall not furnish bail or act as a principal or surety on any bail bond or bail bond application for any person charged with any type of criminal offense except members of their immediate family.
- 8.15 No employee shall reveal any confidential information to anyone unless authorized to do so and then only to a person or persons authorized to receive such confidential information.
- 8.16 No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed police operation to any person not authorized to receive it.
- 8.17 Employees shall not communicate in any manner, either directly or indirectly, any information which may assist persons guilty or accused of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity, money, merchandise, or other property unlawfully obtained.
- 8.18 No employee shall release any police report, police record, arrest report, prosecution report, criminal history file, mug shot picture, or other record or report to any person or agency except in compliance with the current General Order regarding Open Records and the Texas Public Information Act.
- 8.19 No employee shall encourage or recommend the initiation of a civil suit against the City of Mesquite, the Mesquite Police Department, or any employee of the Mesquite Police Department. Complainants seeking redress of any alleged grievances shall be referred to the City Attorney.
- 8.20 Any employee who is arrested, charged with, accused of, convicted of, or who posts bond, or who pleads "guilty" or "no contest" to any criminal offense of any grade or to any offense other than a Class C Misdemeanor traffic offense, or who is the subject of a domestic violence charge or a protective order shall immediately notify the Mesquite Police Department in writing, through the chain of command.

#### **Chapter 9 - Effective Date**

- 9.1 This Code of Conduct was effective May 1, 1984 (Revised: September, 1990; Revised: January, 1996; Revised: July, 2000; Revised: August, 2003; Revised: October, 2006; Revised August, 2011; Revised March, 2013; Revised December, 2013; Revised May, 2016), at which time the previous Code was superseded, except as provided in Section 9.2 of this Code.
- 9.2 The previous Code of Conduct shall remain in full force and effect for any violations which occurred prior to the effective date of this Code.
- 9.3 If any section, sentence, clause, or phrase of this Code is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Code.



## 100.00 ADMINISTRATION



100.00 Administration and Organization of General Orders .....	3
101.00 Personnel Complaints & Discipline .....	5
102.00 Key, Combination, and Password Control .....	17
103.00 Special Reports .....	19
104.00 Part-time (Off-duty) Employment .....	21
105.00 Employee Lunch and Refreshment Breaks .....	25
106.00 Reporting of Employee Illness or Injury to Supervisor .....	27
107.00 Jury Duty .....	29
108.00 Overtime .....	31
109.00 Authority to Dismiss Criminal Charges .....	35
110.00 Accident Review Board .....	39
111.00 Public Information .....	41
112.00 Records Retention and Storage .....	43
113.00 Vacation Scheduling .....	45
114.00 Investigation of Police-related Death or Serious Injury .....	47
115.00 Public Information Officer .....	51
116.00 Temporary Supervision .....	53
117.00 Meritorious Conduct Board .....	55
118.00 County Court Standby System .....	61
119.00 Probation Review .....	63
120.00 Drug and Alcohol Policy .....	65
121.00 Nepotism .....	69
122.00 Lateral Transfer Process .....	71
123.00 Unintentional Discharge .....	73
124.00 Background Investigations for Selection of Employees .....	75
125.00 Employee Safety and Accident Prevention .....	77
126.00 After Action Report .....	79
127.00 Maintaining Compliance with Texas Law Enforcement Best Practices .....	81
128.00 Responsibility for Accurately Reporting Work Time .....	84.1
129.00 Social Media .....	84.3
130.00 Travel Policy .....	84.7

### Exhibits

Exhibit No. 100-1 Garrity Statement .....	14
Exhibit No. 100-2 Internal Affairs Personnel Complaint Warning Form .....	15
Exhibit No. 100-3 Memorandum Sample .....	20
Exhibit No. 100-4 Application to Engage in Off-Duty Employment .....	24
Exhibit No. 100-5 Municipal Court Notice to Appear .....	36
Exhibit No. 100-6 Dismissal of Charges/Release Pending Analysis .....	37





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>100.00 ADMINISTRATION AND ORGANIZATION OF GENERAL ORDERS</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The Mesquite Police Department will provide employees with a clear understanding of the agency's expectations relating to the performance of their duties. This policy designates how orders are to be reviewed and kept in accordance with current federal, state, and local laws. This policy also explains the dissemination of general orders to the employees and the documentation required for accountability.

**II. Definitions**

**General Order:** Any written document used to guide or affect the performance or conduct of agency employees. It includes all agency policies, procedures, rules, memorandums, and regulations.

**Memorandum:** An informal, written document that may or may not convey an order. It will generally be used to clarify, inform, or to inquire information.

**Special Order:** A directive affecting a specific segment of the organization or a statement of policy regarding a specific circumstance or event that is of a temporary nature. Special orders may be used to supplement general orders prior to the order becoming part of the general order system.

**Policy:** A statement of agency principals that provide a framework for agency procedures.

**III. Procedure**

**A. General Orders**

1. The general order system shall be numbered and organized for ease of reference.
2. The General Orders manual will be issued to all employees, sworn and non-sworn.
3. The department reserves the right to issue, modify, rescind, and approve general orders for the good order of the police department.
4. The Chief of Police or his designees are responsible for a review of the general orders. This should be done at least annually and checked for compliance with current federal, state, and local laws.
5. General orders may only be issued at the direction of the Chief of Police.

**B. Special Orders**


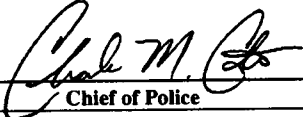
1. All policies, procedures, rules, and memorandums affecting a current general order will be documented by issuing a special order.
2. Once the special order is issued, it becomes part of the general order system, until it is replaced by a general order, or removed from the general orders.
3. Special orders will be added into the general orders.
4. All special orders will be signed for by each officer and documented that each employee has received it.
5. Each general order and special order shall display an effective date.
6. Special orders may only be issued at the direction of the Chief of Police.

**C. Documentation**

1. General Orders will be issued to each employee from the property room section.
2. The employee will sign for the orders and the property room shall keep that record in accordance with current department policy.
3. The property room section will then present the documentation of received general orders to the Chief of Police or his designee.

4. New general orders that affect the conduct of officers in the course of their duties shall be covered by the employee's supervisor to ensure compliance and understanding of the new policy. Employees are assumed to have knowledge of the order after signing for the order.

EFFECTIVE: March, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>101.00 PERSONNEL COMPLAINTS &amp; DISCIPLINE</b>
	<b>Effective Date: January, 2019</b>
	Approved: _____ <div align="center">           Chief of Police       </div>

**I. Policy Statement**

The Mesquite Police Department insists on professionalism and integrity from all employees. As the department is comprised of its employees, the department's image and reputation is a reflection of the personal integrity and discipline of all employees. In order to maintain the public trust, good order and discipline, the department must competently and impartially investigate all allegations of misconduct by employees. The following procedures outline the steps to investigate allegations made internally and externally and outline the responsibility and rights of each department employee during the investigations.

**II. Procedure**

- A. It is the responsibility of each employee of the department to perform the duties and assume the responsibilities of their position and rank in the investigation of complaints or allegations of misconduct regarding employees of the department, and to cooperate fully with any employee of the department conducting such investigation. Supervisors shall initiate investigations where warranted, and shall report through the chain of command to the Chief of Police.
- B. Each alleged or suspected violation by an employee of the department shall be reported to a supervisor by any department employee who receives information of such alleged action.
- C. Complaints relative to differences of opinion between a police officer and a citizen over the issuance of a traffic citation will not be resolved through the complaint process, unless there is an allegation of a violation of law or departmental directives on the part of the officer. In such instances, any internal investigation shall be restricted to specific allegations of misconduct. Differences of opinion between a police officer and a civilian regarding the citizen's alleged violation of the law shall be resolved through the judicial process.
- D. The Chief of Police will be notified as soon as practical, of formal complaints against agency employees and agency volunteers.

**III. Requirement for Making Complaints**

Personnel complaints will be handled in accordance with the Texas Government Code, Chapter 614; Sections 614.021, 022, 023.

- A. Complaints must be made in writing and signed by the person aggrieved. An affidavit form is preferred; however, it is not required.
- B. A signed letter of complaint will be sufficient after verifying that it is not a fictitious letter signed with a fictitious name.
- C. A signed letter from a supervisor or other employee, who is aware of the facts, may fulfill the requirements of an internally originated complaint.
- D. Internal Affairs will conduct an investigation at the request of any employee of the department who justifiably feels threatened by a false accusation or contrived situation involving false evidence. Such persons are authorized to report this situation directly to Internal Affairs.

**IV. Time Limit on Accepting Complaints**

Personnel complaints will not be accepted more than thirty days after the alleged incident, with the following exceptions:

- A. When the complaint involves a criminal violation, the criminal statute of limitations will

- prevail. However, such limitations will not prevent the department from taking disciplinary action deemed necessary to preserve the integrity of the department.
- B. When the complainant can show good cause for not making the complaint within the specified time limit.
  - C. On direction of the Chief of Police based on findings of a preliminary investigation.
- V. Employees' Responsibility
- A. All employees of the Department  
Each employee participating in a complaint investigation or having knowledge of the reported incident will submit a letter, addressed to the Chief of Police, to the investigator assigned to the case before reporting off-duty on the day of his involvement, or at any other time as directed by the investigator. The report will include all information known or reported to him relating to the incident.
  - B. Supervisors
    1. Supervisors will initiate investigations when they become aware of infractions by any employee of the department. They will not look to higher authority for initiation of this action. Officers and non-sworn employees will report infractions to their supervisor.
    2. Minor violations which do not involve gross misconduct or moral turpitude and which will not reflect discredit upon the Department, but which indicate a need for some form of bureau level discipline and/or training, may be handled by the employee's supervisor.
    3. Any alleged or suspected violations that are not resolved by bureau level discipline will be recorded on a Mesquite Police Department Personnel Complaint Form. The completed form shall be sent to Internal Affairs. If, in the opinion of the Watch Commander, the complaint is of such nature to warrant immediate referral to Internal Affairs, he shall do so.
    4. When the investigation of an accident involving a departmental vehicle reveals misconduct or a violation of departmental rules, these violations may be investigated in accordance with this order.
    5. The supervisor who first becomes aware of an employee's involvement in an alleged or suspected criminal violation or serious violation of departmental regulations will inform his on-duty Watch Commander as soon as possible. The on-duty Watch Commander will determine whether or not to relieve the accused from duty.
- VI. Externally Originated Complaints
- A. Citizens who telephone or appear in person to make a complaint against an employee of the department will be referred to the Station Sergeant. When the Station Sergeant is not available, citizens will be referred to any supervisor.
  - B. The Station Sergeant or supervisor will:
    1. Interview the complainant in person or by telephone, obtaining all pertinent information.
    2. Advise the complainant that, in order for action to be taken against an employee of the department, the complaint must be made in writing and signed by the complainant. If the complainant desires to sign the complaint, the supervisor will advise him to appear in person so the supervisor can obtain an affidavit.
  - C. If the Station Sergeant or supervisor deems any complaint serious enough to require immediate attention, he will notify the Watch Commander.
  - D. If the Station Sergeant or supervisor determines that there is no violation of policy or identifies a minor violation which does not involve gross misconduct or moral turpitude and which will not reflect discredit upon the Department, but which indicates a need for some form of counseling, bureau level discipline and/or training, it may be handled by the station sergeant or any supervisor. The Station Sergeant will send an email to the employee's bureau commander with a brief summary of the incident and what actions

were taken.

**E. Harassment, Discrimination and Retaliation Complaints**

1. No employee of this department shall be subject to any form of sexual intimidation, unwelcome sexual advances or other forms of harassment, discrimination or retaliation as defined in Chapter 17 of the City of Mesquite General Government Policies and Procedures.
2. Supervisors are required to take immediate and positive steps to eliminate any form of harassment, discrimination or retaliation when it comes to their attention.
3. Complaints concerning harassment, discrimination or retaliation will be reported and handled as follows:
  - a) If any employee has been subjected to any actions constituting harassment, discrimination or retaliation, it should be reported immediately to any supervisor.
  - b) All complaints of harassment, discrimination or retaliation will be handled according to Chapter 17 of the City of Mesquite General Government Policies and Procedures.

**VII. Preliminary Investigations**

To ensure the integrity of the department and maintain the confidence of the citizenry, it is sometimes necessary to conduct investigations into allegations of misconduct or mishandling of police incidents, even though the allegations do not meet the requirements for making formal complaints. These investigations will be considered preliminary and will not reflect on the personnel record of any employee involved unless a violation is identified, in which case a formal complaint will be authorized by the Chief of Police or his designee.

- A. Should the Chief of Police determine the preliminary investigation can best be resolved at the bureau level he may assign the incident to the Bureau Commander for a preliminary investigation.
- B. An investigation may be conducted into allegations from a third party at the discretion of the Chief of Police. Such allegations must be in writing and signed by a person with first-hand knowledge of the incident and must be brought within the time limit for accepting formal complaints.
- C. Allegations of bias based policing will be investigated.
- D. An investigation may be conducted into anonymous complaints but only at the specific direction of the Chief of Police.
- E. An investigation will be conducted into all allegations of criminal misconduct regardless of the source.
- F. The accused employee may be required to respond to the preliminary investigation by submitting a special report, including in it any information pertinent to the alleged incident.
- G. The special report will be routed through the accused employee's Bureau Commander to the assigned investigator. The Bureau Commander will ensure the accused employee's report is returned to the investigator within the time period specified.
- H. If the report has a discrepancy, is incomplete or inadequate, the accused employee may be required to prepare a supplement to the original report, or to report to Internal Affairs for an interview.
- I. Upon completion of the investigation, the investigator will submit a report containing all pertinent items of information (special reports, affidavits, etc.) to the Chief of Police. The Chief of Police will determine if the allegation is of such a nature to warrant a formal investigation.

**VIII. Formal Investigations of Complaints**

- A. Should the Chief of Police determine the allegation is of such a nature to warrant a formal investigation, he may forward it to the assigned Internal Affairs Investigator, or to such other investigator as may be designated.
  1. The investigator shall be responsible for ensuring a complete and expeditious

- investigation of the allegations. Each complaint shall be investigated to its logical conclusion, using all reasonable methods.
2. The investigator shall, if possible, interview the complainant, any civilian witnesses involved, reduce their statements to writing, and accumulate all documentary and physical evidence connected with the case. The investigator shall prepare a summary of the allegations and shall provide the employee a copy of this summary prior to interview, or requiring the employee to submit an explanatory report regarding the complaint.
  3. Each employee of the department who is involved in or who has knowledge relating to the incident under investigation shall, if requested, submit to an interview, and if requested shall submit an individual report to the investigator. The report shall be accurate and complete.
  4. Each complainant talked to in person shall be given an Internal Affairs Personnel Complaint Warning form by the Internal Affairs Investigator (Exhibit No. 100-2).
  5. Complainants who allege excessive force shall be asked to sign a form authorizing release of their relevant medical records to the investigator and a release permitting all doctors and other medical personnel to answer all questions of the investigator.
  6. After a factual statement of the complaint has been obtained, the alleged improper acts shall be identified and the complaint so designated in the file.
  7. All complainants and witnesses shall be asked to read and sign their statements. Failure to sign, however, shall not end the investigation, but such failure shall be noted in the file.
  8. If a complainant, witness, or person allegedly injured or improperly treated refuses to give a statement or cooperate in the investigation, the investigation shall proceed without such cooperation and all other information reasonably available will be obtained.
  9. Failure of a complainant or witness to cooperate will be noted in the file.
  10. Complainants and witnesses will be encouraged to come to Internal Affairs to give statements, but if the complainant or witness is unable or unwilling to cooperate, the investigator will offer to meet them at another location to obtain statements.
  11. Each complainant or witness shall be encouraged to thoroughly review his or her written statement and make any desired changes, deletions, or additions prior to signing.
  12. The date and time of each contact with any complainant, witness, or employee will be noted in the file.
  13. Any employee interviewed is ordered to answer all questions directed to him related to the matter under investigation. All questions shall be answered fully and honestly.
  14. The investigator shall maintain a courteous, patient, and professional attitude toward all complainants, witnesses and employees; shall strive to be fair and impartial; and to convey the department policy that all complaints be fairly heard and considered.
  15. Unless special circumstances prevent it, all investigations must be completed within the stated due date.
  16. Where an allegation involves the use of alcohol or drugs, the employee may be allowed, requested, or required to submit to a chemical test or tests.
  17. An employee may be allowed, requested, or required to submit to a polygraph examination.
  18. Should it be determined at any point in the investigation the complaint is clearly

unfounded, the investigation will be terminated and the facts reported to the Chief of Police.

- B. The investigator assigned to the complaint will submit the completed file to the Chief of Police. The Chief will review the investigation for completeness and then assign the case to a Staff Review Committee, Chain of Command Only Review, or determine classification of the complaint as one of the following:
  - 1. Unfounded - Allegation is false or not factual.
  - 2. Exonerated - Incident complained of did occur but was lawful and proper.
  - 3. Not Sustained - Insufficient evidence either to prove or disprove the allegation.
  - 4. Sustained - Allegation is supported by sufficient evidence.
  - 5. Violation not related to initial complaint.
- C. If a legal issue is involved, the City Attorney's Office will review the completed investigation.
- D. Upon conclusion of the investigation, if the allegation or incident is classified as unfounded, exonerated, or not sustained, Internal Affairs will notify the accused, in writing.
- E. If the allegation is sustained, recommendations will be sought and discipline imposed as described elsewhere in this order.

**IX. Summary Investigations**

- A. Should the Chief of Police determine the complaint can best be resolved at the bureau level he may assign the incident to the Bureau Commander for a summary investigation.
- B. The following procedure will apply to summary investigations:
  - 1. On receipt of a signed, written complaint, Internal Affairs will assign a summary investigation number (not a control number required for formal investigations) and forward the complaint to the accused employee's Bureau Commander.
  - 2. The Bureau Commander will assign a supervisor to conduct an investigation. A supervisor who was involved in the incident or who for any reason may have difficulty remaining impartial will not be assigned.
  - 3. The assigned supervisor will conduct an investigation of the incident by contacting and interviewing all available witnesses and participants, both department employees and citizens, and examining any other evidence. The employee may be required to respond to the complaint by submitting a special report including in it all information pertinent to the alleged incident. The investigating supervisor will ensure that all the allegations are addressed and pertinent questions are answered.
  - 4. After completing the investigation, the supervisor will inform the complainant of his findings. The supervisor will complete the action/ comments portion of the personnel complaint form and forward it to the Bureau Commander for review and concurrence or non-concurrence. Non-concurrence will be documented in a separate memorandum. The investigating supervisor's comments will contain:
    - a) specific documentation of each step in the investigation to include in particular the employee's denials or admissions and other material statements made by the employee or others,
    - b) any other evidence gathered, to include copies of all related reports, etc.,
    - c) the supervisor's conclusions and recommendations,
    - d) documentation of final contact with the complainant and explanation of the outcome, and
    - e) required paperwork for any discipline administered.
  - 5. If at any time, more serious allegations are encountered, the investigating supervisor will immediately request a formal investigation.

**X. Investigations Involving Alleged Criminal Violations**

- A. The investigative section having jurisdiction over the alleged offense will be notified and

- will be responsible for criminal investigation and filing of any criminal charges.
- B. All homicides or other deaths involving departmental employees may be submitted to the Grand Jury for review.
- C. Police shooting incidents which result in death or injury may be submitted to the Grand Jury for review.
- D. Other incidents involving alleged criminal violations, where guilt or innocence cannot be clearly established, may be referred to the Grand Jury.

### **EMPLOYEE'S RIGHTS DURING INTERNAL INVESTIGATIONS**

- I. Requirement to Answer Questions
  - A. An employee may be required to answer questions relating to his duties, and he can be disciplined up to and including dismissal for refusal to answer such questions.
  - B. Interviews with the employee will be conducted at a reasonable hour.
  - C. The employee will be informed of the nature of the investigation and of the identity of the investigating officer.
  - D. Interviews will be reasonable in length, with rest periods as required for meals or personal matters.
  - E. A copy of any written statement produced by the employee will be provided to him, upon request.
  - F. Any evidence against himself which an employee is compelled to produce will not be used in any criminal action against that employee.
  - G. Upon receipt of notification from the Chief of Police of a suspension or demotion, the employee will have all appeal rights in accordance with Local Government Code Chapter 143 and/or the current Meet and Confer Agreement.
- II. Counsel's Presence During Interview
  - A. The accused employee will not be permitted to have counsel present during an interview regarding an investigation of non-criminal conduct. The Sixth Amendment Right to counsel does not apply to civil or administrative matters.
  - B. The accused employee will be permitted to have counsel present during an interview regarding an investigation of criminal conduct.
- III. Miranda Warning
  - A. The Miranda Warning is not required to be given to an employee during investigations of non-criminal matters.
- IV. Garrity Warning
  - A. The Garrity Warning informs employees: (See Exhibit 100-1)
    - 1. They are required to respond to allegations or submit to tests or examinations regarding allegations of violations of administrative rules or regulations. That failure to respond or submit can result in disciplinary action up to and including termination.
    - 2. That such questions, tests, or examinations results cannot and will not be used against the employee in a criminal matter.
  - B. The Garrity Warning will be given before requiring a response from employees suspected of violations of administrative rules and regulations requiring a formal investigation.
- V. Search of Equipment
  - A. Reasonable searches of departmental equipment (lockers, desks, squad cars, etc.) files (including computer files), and facilities assigned to the exclusive use of an employee may be conducted by a supervisor if it is a routine search, for the maintenance of discipline, or for security purposes. A search under the guise of supervision to recover evidence to be used in a criminal prosecution might be unreasonable unless done with consent, with a warrant or with probable cause.
  - B. If a search is initiated for the purpose of securing evidence to be used in an administrative disciplinary action, the search would be reasonable. The search must be for the enforcement



of departmental regulations and not the discovery of criminal violations.

**VI. Special Examinations**

An accused employee may submit a written request for a behavioral cause investigation or an intoxilyzer, blood, urine, or polygraph test or physical examination, if he believes such would be beneficial to his defense. This may be approved by the Chief of Police or his designee. The department may require such tests of an accused employee. The results of such tests would be limited to administrative use except as provided by law.

**COMPLETION OF  
COMPLAINT INVESTIGATIONS**

**I. Confidentiality of Investigation**

- A. All complaint investigations except those concerned with criminal activity will be classified as "confidential" and no portion of the investigation may be reproduced without permission of the originating authority. The investigation material must be hand delivered to Human Resources in a sealed envelope marked "confidential." This may be done by the Chief of Police or his designee.
- B. All copies of completed investigations bearing an Internal Affairs control number will be returned to Internal Affairs by Bureau Commanders.
- C. Any confidential documents related to an investigation shall be kept secure by all persons.
  - 1. The Internal Affairs supervisors will keep all documents secured in a locked storage room, with limited access.
  - 2. Any person possessing any portion of an investigation will keep those documents secure as to not allow unauthorized access. Employees will keep the documents secured in a locked cabinet or drawer when not reviewing the materials.

**II. Staff Review Committee**

At the discretion of the Chief of Police, the incident may be referred to a Staff Review Committee for a recommendation on the finding and any resulting disciplinary action.

- A. The Staff Review Committee will be an ad hoc committee appointed by the Chief of Police or his designee.
- B. The committee shall be composed of:
  - 1. three (3) command-level officers (Captains and/or Lieutenants),
  - 2. one (1) first line supervisor (Sergeant), and
  - 3. two (2) peers of the affected employee (police officers are eligible as peers of any civilian employee), one of whom may be selected by the accused.
- C. No employee subordinate in rank to the accused employee should be appointed. If necessary to fulfill this provision, the Chief of Police will appoint special members to the board for a specific hearing.
- D. The committee shall not include a person who:
  - 1. initiated the personnel complaint,
  - 2. participated in an investigative role of the complaint,
  - 3. was present and a witness, whether involved or not, when the alleged violation occurred,
  - 4. may have difficulty remaining impartial,
  - 5. is the employee's immediate supervisor,
  - 6. is the employee's Lieutenant or Watch Commander,
  - 7. is the employee's Bureau Commander.
- E. Any Staff Review Committee member selected has the responsibility to inform the Chief of Police if there is a hidden or unforeseen conflict which would prejudice their decision.
- F. Conduct of the Staff Review Committee
  - 1. At least forty-eight hours prior to a hearing, Internal Affairs will furnish a copy of the investigative report to each voting member to allow sufficient time for them to acquaint themselves with the general aspects of the complaint and

- investigation.
    - 2. These copies will not be further duplicated. The Chairman of the Committee will be responsible for collecting and returning these copies to Internal Affairs.
    - 3. The Staff Review Committee will review the facts and circumstances surrounding the incident.
  - G. The affected employee shall be notified of the Staff Review Committee hearing. He may appear before the Staff Review Committee, and shall appear if ordered to do so. It will be the responsibility of the Chairperson to ensure notification of the employee has been made.
  - H. A decision by the affected employee not to appear shall not be considered in the committee's deliberation, decision, or recommendation.
  - I. The committee may call other persons, whether employees of the department or not, whose appearance would be beneficial to the committee in reaching a conclusion.
  - J. An affected employee will be permitted to be present only when he is being heard and questioned, and not during any other part of the proceeding.
  - K. Committee meetings shall not be open to the public.
  - L. After reviewing the evidence, the Staff Review Committee may remand the case to Internal Affairs for further investigation.
  - M. The committee shall recommend to the Chief of Police their finding and disciplinary action, if any, to be taken against the officer. Findings and recommendations need not be unanimous. If not unanimous, the report shall so indicate and shall reflect the viewpoints of all committee members.
  - N. At the discretion of the Police Chief, copies of the case file will be made available to each supervisor in the affected employee's chain of command. Each supervisor will review the file and provide an independent conclusion and recommendation to the Chief of Police. Each supervisor shall return his conclusion and recommendation, under seal, to the Internal Affairs office within three working days after receipt of the file.
  - O. The Chief of Police may accept, reject, or modify the recommendations submitted by the Staff Review Committee and supervisory personnel.
- III. Decision by the Chief
  - A. Upon receipt of a case from a Staff Review Committee, Chain of Command Only Review, or from Internal Affairs if no other referral is made, the Chief shall review the evidence and recommendations, and
    - 1. make a final determination, or
    - 2. remand the case for further investigation.
  - B. The Chief's determination shall be "Sustained," "Not Sustained," "Exonerated," or "Unfounded."
    - 1. "Sustained" means the evidence is sufficient to support the allegation.
    - 2. "Not Sustained" means the evidence is insufficient to prove or disprove the allegation.
    - 3. "Exonerated" means the conduct complained of occurred, but was not wrongful.
    - 4. "Unfounded" means the allegation is false or there is no credible evidence to support it.
  - C. In making his determination, the Chief may weigh the refusal of a complainant or witness to make or verify a statement, or otherwise cooperate.
  - D. When the Chief finds a complaint "sustained", he will invoke the appropriate disciplinary or corrective action, which may include termination, suspension, demotion, reprimand, departmental counseling, outside counseling, remedial training, or other appropriate action.
  - E. Even though a finding is "not sustained", "exonerated", or "unfounded", the Chief may order preventive measures to deal with a potential problem.
  - F. After a decision has been made, the Chief shall notify the complainant in writing of the disposition of the case.

- G. A copy of the Chief's determination shall be sent to the accused officer, and to his or her Bureau Commander.
- H. A copy of all disciplinary or corrective actions resulting from sustained complaints pertaining to an employee shall be placed in his or her departmental personnel file, and in Internal Affairs.
- I. After the Chief's review is complete, all papers or evidence connected with the case shall be transmitted by the Chief to Internal Affairs for filing.

#### **PUNISHMENT AND APPEAL**

- I. **Bureau Level Discipline for Less Serious Infractions of Rules**
  - A. Bureau Level Discipline provides immediate disciplinary action against employees who fail to conform to certain departmental standards of conduct and appearance. This procedure does not require a control number and subsequent investigation. Bureau Level Discipline may be imposed within the employee's chain of command by an advisory memo or an oral reprimand. Advisory memos and oral reprimands will be documented by the supervisor in a memorandum to the subordinate.
  - B. Action under this section will not bar a recommendation for a more severe penalty by higher authority when it is felt that Bureau Level Discipline is being used for a transgression warranting a more severe penalty.
- II. **Letters of Reprimand**
  - A. When the recommended disciplinary action is a written reprimand, normally the employee's Bureau Commander will prepare a letter of reprimand, unless directed by the Chief of Police. It will be addressed to the employee and contain the minimum following information:
    - 1. a brief description of the incident involving the employee, and
    - 2. the specific rule violated.
  - B. Written reprimands issued to sworn and non-sworn personnel will close with the following statement: A copy of this reprimand will be placed in your departmental file.
- III. **Resignations and Suspensions**

When an employee of the department is suspended or relieved of duty, his service weapon, I.D. card, wallet badge and breast badge may be given to the Chief of Police or his designee at the time the suspension order is received by the employee.

#### **ADMINISTRATION OF PROCEDURES**

- A. The procedures herein will be administered consistently with the Civil Service Commission Rules and Regulations, and with State and Federal Law.
- B. The procedures set forth herein are to be construed as guidelines, subject to the discretion of the Chief of Police, for the purpose of ensuring that all complaints are fairly considered. Deviations from these procedures shall in no way affect the validity of any disciplinary action.
- C. **Employee Disciplinary Procedure**

Responsibilities of the supervisor for the disciplinary process utilized within the Mesquite Police Department are as follows:

  - 1. **Advisory Memo**

The Advisory Memo is to be prepared by an employee's immediate supervisor and is used to document counseling sessions. They are to be maintained in the Department's electronic tracking system and removed after two years from the date of issuance.
  - 2. **Oral Reprimand**

Oral Reprimands are to be prepared by a lieutenant or above on an Advisory Memo form. It will be noted in the appropriate place as an Oral Reprimand and signed by the supervisor and employee. Oral Reprimands are to be maintained in

the Department's electronic tracking system and removed after two years from the date of issuance.

3. **Written Reprimand**

Formal written reprimands are to be issued by the Bureau Commander according to the guidelines established by the City Attorney's office. Written Reprimands will be kept in the employee's departmental file.

4. **Suspension**

Suspensions are prepared by the Chief of Police according to guidelines established by the City Attorney's office. Documentation of suspensions are to be kept in the employee's permanent personnel file and departmental file.

- D. Any discipline that has been issued to an employee will be entered into the Department's electronic tracking system by the issuing supervisor or the Chief of Police's designee.

EFFECTIVE: May, 1988; REVISED: September, 1990; FORMERLY: B/88-1; REVISED: January, 1992; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2003; REVISED: March, 2004; REVISED: June, 2005; REVISED: August, 2011; REVISED: March, 2013; REVISED: July, 2017; REVISED: January, 2019

### Garrity Statement

On \_\_\_\_\_ (date), \_\_\_\_\_ (time), at 777 N. Galloway, I was ordered to submit this report (give this statement) by \_\_\_\_\_ (name and rank). I submit this report (give this statement) at his order as a condition of employment. In view of possible job forfeiture, I have no alternative but to abide by this order.

It is my belief and understanding that the department requires this report (statement) solely and exclusively for internal purposes and will not release it to any other agency or authority except as is required by law. It is my further belief that this report (statement) will not and cannot be used against me in any subsequent proceeding other than disciplinary proceedings within the confines of the department itself.

For any and all other purposes, I hereby reserve my constitutional right to remain silent under the FIFTH and FOURTEENTH AMENDMENTS to the UNITED STATES CONSTITUTION and other rights PRESCRIBED by law. Further, I rely specifically upon the protection afforded me under the doctrines set forth in *Garrity vs. New Jersey*, 385 U.S. 493 (1967), and *Spevack vs. Klein*, 385 U.S. 511 (1967), and *Gardner vs. Broderick* 392 U.S. 273 (1963), should this report (statement) be used for any other purpose of whatsoever kind or description.

\_\_\_\_\_  
(Signature)

**Exhibit No. 100-1 Garrity Statement**

Mesquite Police Department  
Internal Affairs  
**PERSONNEL COMPLAINT WARNING**

Art. 6252-20. Complaints against law enforcement officers; writing; signature

In order that a complaint against a law enforcement officer of the State of Texas, including but not limited to officers of the Department of Public Safety and the Liquor Control Board, or against a fireman or policeman may be considered by the head of a state agency or by a chief or head of a fire department or police department, neither of which is under the protection of a civil service statute, the complaint must be placed in writing and signed by the person making the complaint. A copy of the signed complaint must be presented to the affected officer or employee within a reasonable amount of time after the complaint is filed and before any disciplinary action may be taken against the affected employee.

(Acts 1969, 61st Leg., p. 1333, ch. 407, para 1, emerg. eff. June 2, 1969)

**Texas Penal Code  
Section 37.02. - Perjury**

- (a) A person commits an offense if, with intent to deceive and with knowledge of the statement's meaning:
  - (1) he makes a false statement under oath or swears to the truth of a false statement previously made; and the statement is required or authorized by law to be made under oath.
- (b) An offense under this section is a Class A misdemeanor.

**Texas Penal Code  
Sec. 37.08. False Report to Peace Officer or Law Enforcement Employee**

- (a) A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to:
  - (1) a peace officer conducting the investigation.
- (c) An offense under this section is a Class B misdemeanor.

**Texas Penal Code  
Sec. 37.10. Tampering with Governmental Record**

- (a) A person commits an offense if he:
  - (1) knowingly makes a false entry in, or false alteration of, a governmental record;
  - (2) makes, presents, or uses any record, document, or thing with knowledge of its falsity and with intent that it be taken as a genuine governmental record; or
  - (3) intentionally destroys, conceals, removes, or otherwise impairs the verity, legibility, or availability of a governmental record.

**Exhibit No. 100-2 Internal Affairs Personnel Complaint Warning Form**

Mesquite Police Department  
Internal Affairs  
**PERSONNEL COMPLAINT WARNING**

- (b) It is an exception to the application of Subsection (a)(3) of this section that the governmental record is destroyed pursuant to legal authorization.
- (c) An offense under this section is a Class A misdemeanor unless the actor's intent is to defraud or harm another, in which the offense is a state jail felony.

I, \_\_\_\_\_, have read the above article of the Revised Civil Statutes of Texas and sections of the Texas Penal Code. I understand the requirements for the filing of a formal complaint and the penalties for the filing of false complaints. I am hereby voluntarily initiating this complaint against

\_\_\_\_\_, an employee of the Mesquite Police Department.

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Address City State Zip Telephone



SUBSCRIBED AND SWORN to before me on this the \_\_\_\_\_ day of

\_\_\_\_\_ AD 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, Dallas County, Texas





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>102.00 KEY COMBINATION AND PASSWORD CONTROL</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. General Provisions**

- A. All locks used by the police department, except that which secures the Chemical Breath Test Room, shall have the original key secured in a master key security cabinet maintained by the Chief of Police or his authorized representative. No employee shall remove any key placed in this cabinet without authorization from the Chief of Police or, in his absence, his authorized representative.
- B. Selected keys are maintained in a key security cabinet located in the Watch Commander's office. Included in the security cabinet will be keys to the shotgun storage rack and assorted vehicle keys. Access to those keys will be through the on-duty Watch Commander or in his absence any supervisor with the rank of Sergeant or above.
- C. No employee of the department shall possess, use, or control any key, fob, or keycard which has not been issued to him by the Chief of Police or his authorized representative, except in compliance with the provisions of this order.
- D. No person shall duplicate or initiate duplication of any key, fob, or keycard to police facilities without the authorization of the Chief of Police.
- E. Any officer needing access to a secured area for which they are not authorized to enter may contact the on-duty Watch Commander for approval. Access to an unauthorized area will be logged in a log book found in the Watch Commander's office that will document the date, time of entry and exit, secured area accessed and officer requesting access.

**II. Emergency Key Box**

- A. An emergency key box, containing a Grand Master key, keys to the Jail, and keys to the Property Section shall be mounted in the Communications Center. That box requires the breakage of a security glass for access.
- B. Breakage of the emergency key box security glass may be authorized by the ranking officer on duty. Breakage of the security glass shall mandate a special report to the Chief of Police, detailing the date, time, reason, and results of that action.

**III. Narcotics/Controlled Substances Storage Areas**

- A. **Short-Term Storage Container (Drop Box)**  
A secure storage container into which narcotics, drugs, or other controlled substances may be dropped is provided. This container is to be kept securely locked. No person shall remove any item from this container except as authorized by the Chief of Police.
- B. **Property Section Storage Areas**
  1. All narcotics, drugs, or other controlled substances (except those temporarily stored in the drop box) shall be stored in the designated area within the Police Property Section. No single employee shall have access to that storage area. Access to the narcotics storage area is controlled by a bio-reader and a mechanical key lock. To gain access to the area, two persons must activate the bio-reader after presenting a key fob that correlates with their fingerprints. A mechanical key can be used to gain emergency access. No person in the property section shall possess a mechanical key.
  2. A duplicate key to each narcotics area lock shall be kept, sealed in tamper-resistant envelopes, in the master key security cabinet.

**IV. Computer Files**

- A. Certain computerized files are protected by password. No employee shall use or attempt


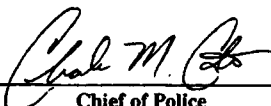
to use any password which he is not authorized to use.

- B. All employees are required to take steps to protect their password. Disclosure of a personal password to another person is prohibited. It is not acceptable to leave the system default password as the user's personal password.

V. Long-Distance Telephone Authorization

- A. Long-Distance telephone authorization is granted by individual password. No employee shall use or attempt to use a long-distance telephone access password which he is not authorized to use.
- B. Disclosure of a personal long-distance telephone access password to another person is prohibited.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: B/84-12; REVISED: January, 1992; REVISED: January, 1996; REVISED: August, 2003; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>103.00 SPECIAL REPORTS</b>
	<b>Effective Date: July, 2017</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. In recognition of the fact that standard report forms and procedures may not fulfill the needs of the department in every instance, Special Reports may be required in some situations. (See Exhibit No. 100-3 Memorandum Sample)
- II. Special Reports, in the form of a memorandum addressed to the Chief of Police, shall be written and submitted through the chain of command:
  - A. By every involved employee when a prisoner is injured while in police custody;
  - B. By the employee or by his supervisor when a police employee is injured in the line of duty;
  - C. By the employee or by his supervisor when a police employee is involved in a traffic accident while on duty or while in a city vehicle;
  - D. By the driver or his supervisor, if a police employee, or by the investigating officer if the driver is a non-police employee when a traffic accident results in damage to city equipment;
  - E. By the arresting officer when a city employee is arrested;
  - F. By the primary officer when an injury to a city employee is reported to the police;
  - G. By the assigned employee when city equipment in the care of a police employee is lost, stolen, or damaged;
  - H. By the involved officer when the officer discharges a firearm in the line of duty, other than at an approved firearms training session or recreational situations;
  - I. By the involved employee and by the primary officer when any off-duty police employee is involved in a police incident or in a disturbance or family violence situation reported to a police agency;
  - J. By every involved employee when any incident or situation arising from or connected with off-duty employment might reasonably be expected to adversely affect the department or its personnel; or
  - K. By any police employee when directed to do so by a police supervisor.
- III. Special Reports, in the form of a memorandum may be written and submitted to a specific target audience without being addressed to the Chief of Police under certain circumstances. (Example: memorandum to all police personnel from Bureau Commander, memorandum to Training Sergeant from FTO regarding training issues, etc.)
- IV. The authority to determine the department's response to requests for certification of U-Visa forms and signatures on T-Visa declarations is delegated to the Captain of the Criminal Investigation Division (CID). The CID Captain will determine the appropriate response to these requests on a case-by-case basis consistent with applicable U.S. laws, regulations and the policies found in the "U and T Visa Law Enforcement Resource Guide for Federal, State, Local, Tribal and Territorial Law Enforcement, Prosecutors, Judges and Other Government Agencies."

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: B/84-25; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2003; REVISED: August, 2011; REVISED: April, 2016; REVISED: July, 2017.



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## MEMORANDUM

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TO:

FROM:

DATE:

SUBJECT:

[double spaced]

This memorandum describes the uniform format and style to be used on all such departmental communications. All memorandums will be typed on only one side of 8 ½ inch x 11 inch unlined paper.

[double spaced]

The memorandum will use five parts: the heading, the routing, the subject, the body, and the signature (handwritten and typed). The modified block style will be used. The heading will be centered. The routing, the subject, and the body of the memorandum including the first lines of paragraphs will be flush with the left margin. The signature will be centered. The heading will include the designation of memorandum and the date as in the above format example. If the memorandum is for your information (FYI), it should be clearly designated as such.

[double spaced]



The routing will identify the person that the memorandum is directed to, the intervening persons in the chain of command, and the person sending the memorandum. As the memorandum passes through the chain of command, each superior will initial the memorandum. If it is felt by the superior that additional amplification is necessary, then brief comments on the original memorandum or accompanying memorandum would be appropriate.

[double spaced]

The subject will concisely describe the topic of the memorandum. The body of the memorandum should follow established principles of writing. The body will be single spaced, with double spacing between paragraphs. The subject matter should be carefully organized and paragraphed. Paragraphs may be shorter than ordinary writing. The style should be as clear and direct as possible.

---

Name  
Title

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>104.00 PART-TIME (OFF-DUTY) EMPLOYMENT</b>
	<b>Effective Date: April, 2014</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>

- I. The Mesquite Police Department recognizes the desire of many employees to engage in part-time (off-duty) employment. The Chief of Police must approve all requests for part-time (off-duty) employment. Approval does not constitute agreement that the employee is working for the City of Mesquite while engaged in part-time (off-duty) employment.
- II. Employees shall not engage in an off-duty business or occupation that limits their effectiveness in the discharge of their public obligations.
- III. Employees shall not use their official position to the direct or indirect benefit of a private business or occupation that limits their effectiveness in the discharge of their public obligation.
- IV. Employees shall only engage in off-duty occupations that are in keeping with the high standards of conduct and professional manner of duty required by their official position as employees of a law enforcement agency. The off-duty occupation chosen must not in any way reflect unfavorably upon this official position.
- V. Employees shall take care to avoid the appearance as well as the actuality of a conflict of interest between primary and part-time employment.
- VI. Off-duty officers represent the Mesquite Police Department and the City of Mesquite and are required to maintain the same professional and ethical standards as that of on-duty employment. Officers must be reliable and dependable to the private businesses. Violations of this basic work ethic may result in the affected officer being denied off-duty employment status for a period of up to twelve months.
- VII. A copy of all approved requests for part-time employment will be forwarded to the Staff Support Captain.
  - A. The Staff Support Bureau will maintain records of each officer's part-time job.
  - B. The Staff Support Bureau will send a letter to each business or individual employing Mesquite Police Officers on a part-time basis. The letter will establish the Staff Support Bureau Captain as the contact person in the event issues arise between the part-time employer and the police employee.
- VIII. The actual hours worked for any law enforcement or security related off-duty employment shall be documented in Telestaff in a manner consistent with General Order 128.00 (Responsibility for Accurately Reporting Work Time).

**Provisions:**

- A. Any employee who owns or operates any private business, who works on a commission, percentage, or salary, or who receives compensation in any form, from any person, firm, or corporation, other than the City of Mesquite, must submit an "Application to Engage in Off-Duty Employment," (see Exhibit 100-4). The application will be sent to the Chief of Police through the employee's Bureau Commander. The request must be approved prior to engaging in the part-time job. The approval is valid for up to one year, and will expire on April 15 of each year. The form used for this purpose will be titled, "Application to Engage in Off-Duty Employment."
- B. Income derived from dividends, interest or military duty in an Armed Forces Reserve unit or National Guard unit are not subject to this provision.
- C. A lieutenant or above may authorize temporary off-duty employment, valid for a period of up to one week, where time limitations preclude the normal approval process.
- D. Generally, no employee of the department will be allowed to own, operate, or be an agent or employee of an establishment where the principal business is the sale, dispensing,

manufacture or transporting of alcoholic beverages. "Principal business" means that more than 51% of the business' gross receipts are due to the sale and/or dispensing of alcoholic beverages as defined by the Texas Alcoholic Beverage Code. Any exception to this rule will be by specific authorization of the Chief of Police.

- E. No employee shall be allowed to sell tickets, take tickets, transfer or exchange customer's money for tickets at any business, promotion, or special event, including movie theaters, while in uniform.
- F. No employee shall be permitted to work at collecting any bills or checks, nor may such employment involve civil, domestic, and/or labor difficulties.
- G. No employee shall be employed by or own financial interest in any private detective agency.
- H. No employee shall be employed by any other law enforcement agency.
- I. Employees working off-duty in police uniform shall not perform tasks that would not normally be performed by an on-duty Mesquite Police Officer.
- J. Employees engaging in off-duty employment shall not utilize departmental supplies or services for private purposes.
- K. While on duty employees shall not:
  - 1. Respond to requests for service from the off-duty employer other than in the normal scope of their duties.
  - 2. Provide police service at a higher level than that provided to other businesses and citizens with similar needs.
  - 3. Provide non-duty related services, including but not limited to closing swimming pools, locking clubhouses, enforcing private curfews, unlocking apartments, etc.
- L. Probationary employees whose field training program has not been completed shall not engage in enforcement related, security related, or uniformed off-duty employment.
- M. Employees whose off-duty employment will require a written contract shall submit a copy of the proposed contract with the Application to Engage in Off-Duty Employment.
- N. Any substantial change in off-duty employment status, hours, duties, or conditions shall require submission of a new Application to Engage in Off-Duty Employment.
- O. Off-duty employment shall not conflict with the employee's obligations to the Mesquite Police Department.
- P. Enforcement-related, security-related, and uniformed off-duty employment authorization is automatically suspended while an employee is under departmental suspension.
- Q. Employees engaging in off-duty employment are encouraged to require the off-duty employer to explain their medical and workmen's compensation benefits, if any. City of Mesquite workmen's compensation insurance may not cover injuries incurred in non-job-related activities.
- R. Employees will immediately prepare a special report about any incidents or situations arising from, or connected with, their off-duty employment that might adversely affect the department or its personnel.
- S. The policy of the department authorizes an officer who is assigned a home-storage vehicle to drive that vehicle to and from a part-time job within the city of Mesquite. It prohibits the use of that vehicle as part of the employment, unless specifically authorized by the Chief of Police. Officers shall not enter into any agreement to provide security services, or any other services, on an off-duty basis where the use of a city vehicle is required except as authorized by the Chief of Police. Officers shall not promise or imply to any potential off-duty employer that a city vehicle is or will be available as part of any services provided by the officer. This provision does not apply to city-funded programs.
- T. Submission of an Application to Engage in Off-Duty Employment shall constitute authorization for the Chief of Police or his designee to examine employee records and time sheets at the off-duty employer's place of business.
- U. Employees are subject to the Mesquite Police Department Code of Conduct and other

written directives at all times.

- V. Approval of an Application to Engage in Off-Duty Employment does not constitute authorization for overtime by the Mesquite Police Department.
- W. Enforcement-related, security-related, uniform or non-uniform employment outside the City of Mesquite is not authorized without approval of the Chief of Police.
- X. Prior to engaging in any law-enforcement or security related off-duty employment, employees shall notify dispatch of their location and when their employment starts and ends. Officers working security-related jobs will be placed on the dispatch status screen while they are working.
- Y. Employees who are working off-duty security related positions shall utilize their city-issued police portable radio to maintain radio contact with dispatch during their off-duty employment.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-29; REVISED: January, 1996; REVISED: August, 2003; REVISED: March, 2004; REVISED: August, 2011; REVISED: March, 2013; REVISED: April, 2014

### APPLICATION TO ENGAGE IN OFF-DUTY EMPLOYMENT

I HEREWITH MAKE APPLICATION TO ENGAGE IN OFF-DUTY EMPLOYMENT. I HAVE READ AND UNDERSTAND THE CURRENT GENERAL ORDER ON THE SUBJECT OF PART-TIME (OFF-DUTY) EMPLOYMENT, AND AGREE TO ABIDE WITH ITS POLICY AND PROVISIONS.

ACTUAL HOURS WORKED AT OFF-DUTY EMPLOYMENT MUST BE REPORTED ON TELESTAFF.

NAME: \* \_\_\_\_\_ ID#: \* \_\_\_\_\_ BUREAU: \_\_\_\_\_

NAME OF BUSINESS: \* \_\_\_\_\_ TYPE OF BUSINESS: \_\_\_\_\_

ADDRESS: \* \_\_\_\_\_ PHONE: \_\_\_\_\_

OWNER/MANAGER: \_\_\_\_\_ PHONE: \_\_\_\_\_

DESCRIPTION OF WORK: \* \_\_\_\_\_

HOURS PER WEEK: \* \_\_\_\_\_

WILL POLICE UNIFORM BE WORN? \*

☐ YES

☐ NO

IS WORK SEASONAL, TEMPORARY OR INTERMITTENT? \*

☐ YES IF YES GIVE DETAILS: \_\_\_\_\_

☐ NO

IS WRITTEN CONTRACT REQUIRED? \*

☐ YES IF YES, ATTACH COPY OF CONTRACT.

☐ NO

IS WORKERS COMP INSURANCE PROVIDED? \*

☐ YES IF NO, YOU ARE ENCOURAGED TO MAKE PROVISIONS FOR PROTECTION IN THE  
EVENT OF AN OFF-DUTY INJURY FOR WHICH THE CITY OF MESQUITE WORKERS  
COMPENSATION CARRIER DENIES COVERAGE.

☐ NO

OTHER CURRENT PERMITS OR PENDING APPLICATIONS FOR OFF-DUTY EMPLOYMENT: \*

TOTAL HOURS OF OFF-DUTY EMPLOYMENT PER WEEK, INCLUDING THIS AND ANY OTHER

PENDING APPLICATIONS: \* \_\_\_\_\_

#### LIMITATIONS OR CONDITIONS

1. Subject to Policy and Provisions enumerated in the current General Order regarding Part-Time (Off-Duty) Employment, or its successors.
2. Part-Time Off-Duty Employment shall be secondary to any overtime required by the Mesquite Police Department.
3. Employee/Applicant is aware and agrees that the City of Mesquite, The Mesquite Police Department and/or their respective Workers Compensation Insurer is not responsible for any injuries that the Employee/Applicant may suffer in the course of Off-Duty Employment that is considered outside the scope of activities related to the apprehension and arrest of violators or the investigation of a criminal complaint.
4. \_\_\_\_\_

Submit

Exhibit No. 100-4 Application to Engage in Off-Duty Employment





## MESQUITE POLICE DEPARTMENT

### 105.00 EMPLOYEE LUNCH AND REFRESHMENT BREAKS

Effective Date: April, 2014

Approved: \_\_\_\_\_

Chief of Police

#### I. Lunch Breaks

- A. One thirty-minute lunch break is authorized for any assignment of six hours or more for personnel whose position is authorized to receive compensation for their lunch break. Employees who are compensated for their lunch break are subject to immediate recall if needed during that break. Positions that are authorized for a compensated lunch break are:

1. Patrol Officer or Patrol Sergeant
2. Traffic Officer or Traffic Sergeant
3. Watch Commander
4. School Resource Officer
5. Dispatcher or Dispatch Supervisor
6. Detentions Officer or Detentions Sergeant

- B. One sixty-minute uncompensated lunch break is authorized for personnel assigned to administrative or investigative positions. Positions that are authorized for an uncompensated lunch break are:

1. Clerical workers, Secretaries, and Office Managers
2. Supervisors not listed above
3. Investigators
4. Public Safety Officers

#### II. Refreshment Breaks

- A. One fifteen-minute refreshment break is allowed for an assignment of four hours or more. Two fifteen-minute refreshment breaks are authorized during an assignment of eight hours or more, one during the first half and one during the last half of a tour of duty.
- B. Refreshment breaks shall be taken in the employee's assigned work area or district or in close proximity to that work area or district.

#### III. General

- A. At the option of the employee, one of the authorized refreshment breaks may be combined with the lunch break to allow a forty-five minute compensated lunch period.
- B. Travel time is not authorized for non-field personnel. Travel time for field personnel shall not exceed ten minutes.
- C. Lunch breaks and refreshment breaks are intended to provide a temporary relief from the work setting, in order to allow the employee to complete his tour of duty in an efficient and effective manner. They are not intended to allow an employee to leave work before the end of the regular tour of duty.
- D. Neither lunch nor refreshment breaks will be allowed as a matter of routine in the last hour of the employee's tour of duty.

#### Quick Reference Guide

4 hour shift = one refreshment break


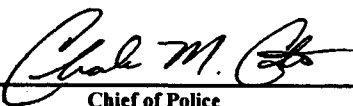
6 hour shift = one refreshment break and one lunch break

8+ hour shift = two refreshment breaks and one lunch break

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-32; REVISED: January, 1996; REVISED: March, 1997; REVISED: March, 2001; REVISED: April, 2014

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>106.00 REPORTING OF EMPLOYEE ILLNESS OR INJURY TO SUPERVISOR</b>
	<b>Effective Date: January, 2019</b>
	Approved: <u>            Chief of Police       </u>

**I. Illness or Injury**

- A. Sick leave may only be used during actual personal illness, to secure necessary medical treatment, or as stipulated in the City of Mesquite's family sick leave policy.
- B. Operations personnel shall notify the on-duty Watch Commander at least one hour prior to duty time of an inability to report to work. All other employees shall notify his supervisor at least one hour prior to duty time of an inability to report to work.
- C. If he is unable to notify his supervisor, he shall notify the ranking on-duty supervisor who shall in turn relay the information to the absent employee's supervisor.
- D. The employee shall inform the supervisor of the nature of the illness, injury, or other circumstance and the location and telephone number where he may be reached if he will not be at his normal place of residence.
- E. The employee shall provide the supervisor with his best estimate of the expected length of his absence. The employee shall thereafter keep the supervisor informed of any changes in that expectation.
- F. An employee absent for more than three days during any 30-day period as a result of illness or injury may be required to submit a physician's release to return to work.
- G. An employee who is hospitalized as a result of illness or injury may require a physician's release to return to work.

**II. Line of Duty Injury**

- A. A police supervisor, upon learning of a line of duty injury or possible injury, shall take any required action to ensure that medical attention is available to the employee.
  - 1. Employees sustaining injury shall be examined and receive emergency treatment, if necessary, by such medical provider as requested by the employee.
  - 2. Should an employee be unconscious or otherwise incapable of rational decision making, the supervisor shall direct that the employee be taken to the nearest medical facility which can handle the type of injury suffered. Adherence to standard procedures established by the Mesquite Fire Department Paramedic Branch, where their services are utilized, is recommended.
  - 3. Should an employee decline medical attention which the supervisor feels is warranted, the supervisor should urge the employee to accept medical attention and treatment. This is particularly important in cases of potential back or head injuries. Refusal to accept medical attention could have an adverse impact on future insurance benefits.
- B. If the injury occurs during business hours, the supervisor should notify the city personnel office, which will normally be called on to verify workmen's compensation applicability. During non-business hours, the treatment facility will normally accept the supervisor's verification.
- C. The employee's immediate supervisor is responsible for completing a City of Mesquite Report of Employee Injury. In the absence of the immediate supervisor, an on-duty supervisor shall complete the report, fully describing how the injury occurred. The report shall be completed before the end of the tour of duty. The report shall be faxed to the Human Resources Department by the bureau secretary immediately if the injury is reported during business hours. If the injury is reported during non-business hours, the report shall be faxed at the beginning of the next business day. In addition an injury

report shall be completed following any employee on-duty illness which requires immediate medical treatment.

- D. The employee shall complete a special report, in accordance with General Order 103.00 detailing the circumstances of the injury. That report is due by the end of the tour of duty if the employee returns to work; otherwise by the end of the employee's next tour of duty.
- E. In the event that a previously reported injury is re-injured or aggravated to the point that additional lost time results or is likely to result, the employee shall notify his supervisor and shall submit a written report of the re-injury as soon as possible.



### III. Modified Duty

- A. All modified duty assignments must be approved by the Chief of Police.
- B. Modified duty releases not "definitively outlined" by the injured worker's treating doctor are unacceptable. This means the physician must outline limitations for lifting, walking, stooping, bending, carrying, and driving, and/or other specific limitations of the injured worker.
- C. Bureau Commanders provided a definitive modified duty release will follow-up by discussing the treating physician's duty restrictions and typical duties of the proposed duty assignment with the Chief of Police.
- D. The assignment of modified duty will be at the discretion of the Mesquite Police Department, dependent on the availability of appropriate duties.
- E. Employees on modified duty assignments are not permitted to operate city owned marked vehicles. Employees assigned unmarked city owned or leased vehicles may operate the vehicle in a non-enforcement capacity with prior approval of a command level officer.

### IV. Return to Work from Line of Duty Injury

- A. It is a statutory requirement of the Texas Department of Workers' Compensation to receive notification within three (3) days of the return to full and/or modified duty, by an employee who has suffered a lost time line of duty injury. In order for the City of Mesquite to comply with this requirement, supervisors must immediately notify the Office of Risk Management of the date and time injured employees return to work in a modified duty or full duty capacity. The preferred method of notification is an e-mail sent to an employee in the Risk Management Division of the Human Resources Department. The Lieutenant and Bureau Commander should also be sent the Return to Work Notification.

EFFECTIVE: May, 1984, April, 1986; REVISED: September, 1990; FORMERLY: B/84-35 and B/86-61; REVISED: January, 1996; REVISED: July, 2000; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013; REVISED: January, 2019

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>107.00 JURY DUTY</b>
	<b>Effective Date: August, 2011</b>
	Approved:  Chief of Police

- I. An employee of the Mesquite Police Department who is properly summoned to jury duty is expected to respond and, if selected, to serve.
  - II. An employee of the department shall notify his supervisor as soon as practical after receipt of a summons for jury duty.
  - III. If such summons or jury service is on a day on which the employee is scheduled to work, the employee will be excused from duty, the daily assignment sheet will be coded "JD." The employee will be paid his regular salary in addition to any compensation paid by the summoning agency.
  - IV. If such summons or jury service is on a day on which the employee is scheduled to work, and the employee is released from jury duty prior to the end of the workday, the employee shall report to his Bureau Commander for assignment for the remainder of that workday.
  - V. If such summons or jury service falls on the employee's regular day off, vacation day, holiday, or other day on which the employee is not scheduled to work, no compensation other than that normally paid by the summoning agency will be paid.
  - VI. Compensation paid by the county for jury service shall be retained by the employee. The employee, rather than the City of Mesquite, shall pay any parking fees arising from jury duty.
- EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: B/84-39; REVISED: January, 1992; REVISED: August, 2011



**MESQUITE POLICE DEPARTMENT**

**108.00 OVERTIME**

**Effective Date: January, 2019**

**Approved:**

### Chief of Police

## I. General Provisions

- A. The following definitions are applicable to this order:
1. **Work Period** - Work periods are seven days in length, commencing at 12 a.m. on Sunday and ending at midnight the following Saturday.
  2. **Offsetting Time** - Time off, or to be allowed off during a normal tour of duty, for the purpose of offsetting excess time worked on a previous tour of duty within the same work period. Offsetting time will be on an hour-for-hour basis, and must be utilized within the actual work period in which it was earned, or converted to compensatory time on a one and one-half to one basis.
  3. **Compensatory Time** - Compensatory time will be credited at the rate of one and one-half hours for each hour of overtime worked. Compensatory time may be carried forward beyond the work period in which it was earned, and accumulated to the limit established by city policy.
- B. Overtime (other than that required to continue an assignment begun during a regular work shift) must be authorized in advance by a supervisor.
- C. Overtime must be documented by the employee in Telestaff. This includes all hours worked for any off-duty, part-time assignment related to security or law enforcement. A report of overtime will be submitted by the Bureau Commander to the Payroll Clerk no later than 10:00 a.m. Monday before a Friday payroll.
- D. Overtime compensation is based on the nearest minute. Enter the range of time worked in Telestaff and it will automatically be converted to a decimal value.
- E. City of Mesquite General Government Policies and Procedures permit all employees to accumulate up to 80 hours of Compensatory Time, representing up to 53.3 hours of actual overtime worked. The Meet and Confer agreement allows sworn officers to accumulate up to 120 hours of Compensatory Time, representing up to 80 hours of actual overtime worked. An employee who has accumulated the maximum number of compensatory hours shall thereafter be compensated by overtime payment or by offsetting time, subject to the provisions herein, for additional overtime worked until that employee's compensatory time balance has been reduced to or below the maximum.
- F. An employee who has accrued compensatory time may request the use of compensatory time off. The department will allow for the use of compensatory time within a reasonable period after the request is made unless the employee's absence from work would unduly disrupt departmental operations. Unduly disrupt is defined as "something more than a mere inconvenience."
- G. Requests for compensatory time off in excess of three consecutive days requires the approval of the Bureau Commander.
- H. Under unusual circumstances, a supervisor with the rank of lieutenant or above may approve compensatory time off which would result in a negative compensatory time balance for that employee. The employee shall eliminate a negative compensatory time balance before submitting a request for overtime payment for any subsequent overtime work (other than duty of the type discussed in Provision III. C. below). Compensatory time used to eliminate a negative compensatory time balance shall accrue at the rate of one-and-one-half hours for each hour worked; unless it is within the same work period (see Provision I. A. 2. above).

## II. Court Overtime

- A. When overtime is required for a court or grand jury appearance, the employee has the option of requesting overtime payment at the rate of one and one-half times their normal pay rate, or compensatory time off, at the rate of one and one-half hours per hour. (If the employee has accumulated the maximum permissible amount of compensatory time, no option exists.)
- B. When overtime is required for a court or grand jury appearance within Dallas County but outside the city of Mesquite, travel time of thirty (30) minutes each way is authorized. Any travel time in excess of thirty minutes must be specifically justified on the overtime report and approved by a supervisor. When overtime is required for a court or grand jury appearance outside Dallas County, reasonable travel time will be allowed.
- C. When overtime is required for a court or grand jury appearance, a minimum of two hours of overtime will be allowed, if the overtime is not immediately contiguous to the employee's tour of duty or other overtime period. If the overtime period immediately precedes or follows a tour of duty or other overtime period, the overtime will be based on actual time. [For example, an employee assigned to Second Watch finishes his regular tour of duty at 4:00 p.m. He is required to testify in Municipal Court and is released at 4:30 p.m. He will be compensated for one-half hour of overtime. Another employee, on his day off, is required to report for Municipal Court and is released after 30 minutes. He will be compensated for two hours of overtime.] The allowed travel times, as listed in II.B., do not accrue for the two-hour minimum overtime pay when the time involved is less than two hours.
- D. When overtime is required for a court appearance and the employee is released for a lunch break, a thirty-minute lunch break shall be deducted from the overtime computation.

## III. Recall to Duty or Special Assignment Overtime

- A. When an employee is recalled to duty or receives a special assignment beyond their regular tour of duty [For example: inclement weather conditions, personnel shortage, etc.] they have the option of requesting overtime payment at the rate of one and one-half times their regular rate, or compensatory time off at the overtime rate. (If the employee has accumulated the maximum permissible amount of compensatory time, no option exists.)
- B. When an employee is recalled to duty for an immediate response, the overtime will be calculated from the time the employee leaves home or other location en route to the police station or assignment location.
- C. Compensatory time may not be credited for work on an overtime project funded partially or fully by a source other than the City of Mesquite [For example: a federally funded Selective Traffic Enforcement Program, or a joint City of Mesquite/Mesquite ISD football game security program.]
- D. When an employee is required to report for a special assignment, such as a parade, traffic enforcement program, overtime shift, etc., the overtime will begin at the specified reporting time. A minimum of two hours overtime will be authorized, unless the overtime is immediately contiguous to another tour of duty of the employee. When an employee is required to work an overtime assignment they are entitled, when feasible, to a lunch break (up to thirty minutes) and to a refreshment break(s), (up to fifteen minutes), according to the following schedule:
  - 1. An assignment of four hours or more - one refreshment break.
  - 2. An assignment of six hours or more - one lunch break and one refreshment break.
  - 3. An assignment of eight hours or more - one lunch break and two refreshment breaks.Time spent on such breaks will not be deducted from the overtime compensation.
- F. The two-hour minimum overtime pay allowance or overtime pay contiguous to duty will be allowed once a quarter for firearms qualifications.





**IV. Limitation on the Number of Hours Worked**

- A. No employee will be allowed to schedule more than 76 hours of work during a work period, unless it is specifically authorized by a Bureau Commander. This will include the sum of all regular duty, overtime duty and part-time (off-duty) employment.**
- B. No employee will be allowed to schedule more than 16 hours of work within any 24 hour period, unless it is specifically authorized by a Bureau Commander. This will include the sum of all regular duty, overtime duty and part-time (off-duty) employment.**
- C. Officers will be held accountable for monitoring their total number of hours worked in a given day, not to exceed 16 hours, and during a work period, not to exceed 76 hours. Officers who work part-time and/or department overtime will be responsible to ensure that, after accounting for regular duty hours, they will not exceed the limits of total hours worked stated in this policy.**

**EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-41; REVISED: January, 1992; REVISED: January, 1996; REVISED: March, 2001; REVISED: August, 2003; REVISED: August, 2011; REVISED: June, 2015; REVISED: May, 2016; REVISED: January, 2019**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>109.00 AUTHORITY TO DISMISS CRIMINAL CHARGES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

- I. No officer shall take actions or make recommendations which would result in non-prosecution of a traffic or criminal case unless written justification for the release through the chain of supervision is approved.
- II. The interests of justice, medical, or mental health concerns may be best served by the release without charges of a person arrested for a Class C misdemeanor or non-prosecution of an offense higher than a Class C misdemeanor. The Station Sergeant may authorize release on Class C misdemeanor offenses. A lieutenant or above may authorize release on offenses higher than a Class C misdemeanor. (see Exhibit No. 5 Notice to Appear)
- III. An individual arrested for public intoxication will not be released from custody as long as he is under the influence of alcohol or any other substance, to the degree that he may endanger himself or another. As a general guideline, most prisoners arrested for public intoxication should be eligible for release in four hours.
- IV. A prisoner shall be released immediately upon production of a valid Writ of Habeas Corpus.
- V. Prior to the medical transport of any prisoner, the Station Sergeant will inform the prisoner (if medical release is being completed), that they are no longer in custody of the Mesquite Police Department and that their criminal charges will be filed "At Large." The Station Sergeant will further inform Paramedic personnel if the prisoner is still in police custody or that the prisoner is released from custody due to medical reasons. (see Exhibit No. 100-6 Dismissal of Charges/Release Pending Analysis)

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: B/84-46; REVISED: January, 1996; REVISED: July, 2000; REVISED: June, 2005; REVISED: August, 2011

MUNICIPAL COURT  
CITY OF MESQUITE  
DALLAS COUNTY, TEXAS

NAME: SMITH, JAMES

ARREST NUMBER: 210401

CAUSE NUMBER: 333333

CAUSE: NO LIABILITY INSURANCE

CAUSE NUMBER: 222222

CAUSE: NO MVI

CAUSE NUMBER: 111111

CAUSE: UNREGISTERED MOTOR VEHICLE

CAUSE NUMBER:

CAUSE:

CAUSE NUMBER:

CAUSE:

CAUSE NUMBER:

CAUSE:

☐ BY ORDER OF THE PRESIDING JUDGE OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, YOU ARE ORDERED TO APPEAR BEFORE THE CLERK OF THE MUNICIPAL COURT, CITY OF MESQUITE, 757 N. GALLOWAY AVENUE, MESQUITE, TEXAS ON OR BEFORE THE

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ AT \_\_\_\_\_ A.M./P.M.

☐ BY ORDER OF THE PRESIDING JUDGE OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, YOU HAVE BEEN GRANTED TIME TO PAY THE BALANCE OF A FINE OWED BY YOU TO THE CITY OF MESQUITE, IN THE AMOUNT OF:

\$

SAID FINE IS DUE AND PAYABLE ON OR BEFORE THE

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

**FAILURE TO APPEAR OR FAILURE TO PAY SAID FINE IN A TIMELY MANNER WILL  
RESULT IN THE ISSUANCE OF A WARRANT FOR YOUR ARREST.**

I acknowledge receipt and understand this order on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DEFENDANT

**MESQUITE POLICE DEPARTMENT  
DISMISSAL OF CHARGES/RELEASE PENDING ANALYSIS**

Date: \_\_\_\_\_

Defendant: \_\_\_\_\_

Charge: \_\_\_\_\_

Arrest #: \_\_\_\_\_ MNI #: \_\_\_\_\_

Booking #: \_\_\_\_\_

REASON:    ☐ Release Pending Analysis    ☐ Medical    ☐ Other

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHARGES TO BE FILED    ☐ Yes    ☐ No

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

RELEASE AUTHORITY:

NARCOTICS OFFICER \_\_\_\_\_ Date/Time: \_\_\_\_\_



JAIL SERGEANT \_\_\_\_\_ Date/Time: \_\_\_\_\_

COMMAND LEVEL OFFICER \_\_\_\_\_ Date/Time: \_\_\_\_\_

<b>REPORT REVIEW</b>	
CAPTAIN:	DATE/TIME:
CID SECRETARY:	DATE/TIME:
RECORDS:	DATE/TIME:
Please Initial, Date, and Forward.	

**Exhibit No. 100-6 Dismissal of Charges/Release Pending Analysis**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>110.00 ACCIDENT REVIEW BOARD</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Board Composition
  - A. The Chief of Police or his designee will appoint a supervisor to act as chairperson of the Accident Review Board.
  - B. The chairperson will be responsible for the selection of three employees of the department to serve as Accident Review Board members. An effort will be made to ensure that at least one board member will be of the same rank as the employee involved in the accident.
- II. Board Responsibility
  - A. The chairperson is responsible for administrative tasks associated with board meetings, including:
    1. arranging for a meeting room,
    2. notifying members and witnesses of the meeting,
    3. procuring required files, and
    4. composing a report to the Chief of Police regarding the board's conclusions.
  - B. The board will review all pertinent reports, photographs and other documents pertinent to the accident under investigation. The board may also interview the employee involved in the accident, the investigator, witnesses, or any other person deemed necessary by the board. The employee, however, may waive the opportunity to appear before the Accident Review Board by providing a "waiver" memorandum to the Chief of Police that indicates the accident was preventable on his part.
  - C. The board may elect to visit the accident site for further clarification of the issue, or any other site deemed necessary by the board.
  - D. The board, in unusual situations, may table the review in order to secure additional information, visit a site, etc. In this event the board shall be reconvened as soon as possible.
  - E. After considering all available facts and circumstances surrounding the incident, the board shall recommend a classification of the accident as "Preventable" or "Non-Preventable" on the part of the employee.
  - F. The board may, at its discretion, include in its report a discussion of any extenuating circumstances having a bearing on the accident.



EFFECTIVE: February, 1988; REVISED: September, 1990; FORMERLY: B/88-49; REVISED: August, 2003; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>111.00 PUBLIC INFORMATION</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**AUTHORITY:**

Texas Public Information Act, Sec. 552

Criminal Justice Division Security and Privacy Rules and Guidelines (Federal Register, Vol. 40, Department of Justice, Judicial Administration, Title 28, Chapter 1- Part 20- Criminal Justice Information Systems;

City of Mesquite, Administrative Directives

Court decisions:

Houston Chronicle Publishing Co. v. City of Houston;

Holmes v. Morales;



Texas Attorney General Opinions;

**GUIDELINES:**

- I. Accident Reports
  - A. The Texas Peace Officer's Accident Report (CR-3) is public information, provided that the requesting party can identify the report as required by law.
  - B. The Mesquite Police Department Hit-and-Run Report is NOT public information.
- II. Offense/Incident Reports
  - A. The Mesquite Police Department Offense/Incident Report (Page 1) is generally public information, and will be released upon request.
    1. Property Summary pages, which list additional stolen, damaged, lost, or found property, are also public.
    2. Narrative Supplement pages, which include the narrative and specific details of the offense, are NOT public.
    3. Patrol Supplements are NOT public.
    4. Investigative Supplements are NOT public, with the exception of recovered property, with narrative area masked.
  - B. Any offense report involving a juvenile suspect or victim is NOT public. However, provided the parent of the juvenile is not a suspect in the offense, and the parent can successfully complete an affirmation of parentage, the parent is entitled to the full report pending review from the city attorney's office.
  - C. Reports of any sexual offenses or assaultive offenses of a sexual nature are NOT public.
- III. Arrest Report
  - A. Adult Arrest reports without the narrative portion are public information and are available from the Records Section during business hours. If a juvenile is arrested in the same incident then the entire arrest report is NOT public information.
  - B. Juvenile Arrest Reports are NOT public.
  - C. The chronological daily jail report (adult arrests only) is public information.
- IV. Call For Service
  - A. Call for Service numbers are available to the public upon specific request.
  - B. The name of any person who brings a possible violation to the attention of the Police Department is public information but shall only be disclosed through the records supervisor.
  - C. Other information from calls for service may be public. A determination will be made, on a case-by-case basis, by the supervisor of the Records Section.
- V. Case Reports

- Case reports are NOT public information.
- VI. Sex Offender Registration
- A. A listing of registered sex offenders is public information.
  - B. Individual Sex Offender Registration Forms (DPS Form INT-10) are public information, with certain items deemed confidential by law obliterated or masked.
- VII. Other Reports
- Reports not listed are NOT to be released (except to another law enforcement, prosecution, or correctional agency) without the specific approval of a supervisor.
- VIII. Procedures
- A. Any individual may obtain a copy of any MPD report that is classified as public information. A person requesting a copy of a report must provide sufficient information to allow records personnel to identify and retrieve the particular record. Records personnel will not generally provide research assistance or conduct an extensive file search.
  - B. Public requests to review or obtain copies of any report must be made to the Records Supervisor during normal business hours.
  - C. All information contained in either an adult or juvenile sex offender registration form which has been entered in the DPS database is public information and must be released upon written request, except for the registrant's social security number, driver's license number, telephone number, and any information that on its face would reveal the victim's identity.
  - D. According to Open Records Decision No. 304, the Open Records Statute does not require any governmental body to produce information in the absence of a written request. If a written request is considered within one of the exceptions, an Attorney General's Opinion must be requested by the tenth business day after the written request.
  - E. Any individual with a valid court order mandating release of a record may obtain a copy of that record. Court orders shall be reviewed by the supervisor of the Records Section prior to release of such record.
  - F. Representatives of law enforcement, prosecution, or correctional agencies, in the performance of their official duties, may review or obtain copies of any report, whether public or confidential.
  - G. A Report Fee Schedule establishes charges for copies of reports. Fees will not be charged for copies made for other units of government.
  - H. The Police Records Section shall maintain a file of written responses to requests for information that would require programming, in accordance with Section 552.231 of the Government Code.


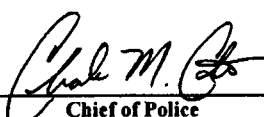
EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: B/84-52; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2011; REVISED: March, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>112.00 RECORDS RETENTION AND STORAGE</b>
	<b>Effective Date: March, 2013</b>
	Approved:  <div style="text-align: center;">Chief of Police</div>

- I. Records and files shall be retained by the Police Department in accordance with the approved Records Retention Schedule, applicable City of Mesquite Directives, and the Texas Local Government Code.
- II. Records and files that require only infrequent access may be transferred to the Police Property Storage Facility for intermediate-term storage. Such files will be accepted by the Warehouse Manager, provided:
  - A. They are in standard file boxes;
  - B. The file boxes are clearly marked, on the end, with:
    1. police bureau requesting storage;
    2. type of files included;
    3. dates included, or other identifying parameters; and
    4. destruction date.
  - C. The Records Supervisor will prepare destruction lists in accordance with destruction dates established by the City Secretary.
  - D. Destruction dates shall not be in conflict with the Records Retention Schedule established pursuant to the Texas Local Government Code.
  - E. Storage of records is for 3-5 years pursuant to Administrative Directive #23.
  - F. Files, which have reached their destruction date, may be destroyed by burning, pulping, or shredding in accordance with the Texas Local Government Code.
  - G. Files currently maintained by the Property Control Section will be subject to inclusion on a destruction list as they reach an age of five years, unless the provisions detailed above are complied with.
- III. Current departmental records such as, but not limited to, offense reports, arrest reports and other sensitive reports must be secured in a locked room or locked cabinet which only authorized records personnel have access.

EFFECTIVE: September, 1990; REVISED: January, 1996; REVISED: August, 2011; REVISED: March, 2013





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>113.00 VACATION SCHEDULING</b>
	<b>Effective Date: October, 2017</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. **Vacation Policy**
  - A. Regular full-time General Government employees accrue vacation per year according to City of Mesquite General Government Policies and Procedures.
  - B. Employees covered by Local Government Code will accrue vacation leave in accordance with that statute and city policy.
  - C. Each Bureau Commander shall ensure that there is an adequate number of personnel on duty at all times.
- II. **Definitions**  
 For the purposes of this order, the following definitions are applicable:
  - A. Division - A major organizational unit of the Police Department, typically consisting of two or more Bureaus and directed by an Assistant Chief of Police.
  - B. Bureau - An organizational unit of the police department, commanded by a Police Captain. Example: Operations Bureau.
  - C. Section - A sub-unit of a Bureau. Example: Traffic Section.
  - D. Shift - An assignment period common or substantially common to a work group. Example: Second, or Day Shift.
  - E. Platoon - A small work group with a common schedule. Example: Sergeant Doe's platoon.
  - F. Work Day - The combination of all shifts for any calendar day. For example, the first, second, third and fourth shift designated on the manpower schedule to work on January 1 would constitute the "work day" assignments for that day, regardless if the actual work hours for any shift extend to another calendar day.
- III. The maximum number of employees who can be scheduled for vacation at the same time. Unless specifically stated, each maximum pertains to a "work day" and not a shift. For example, "One (1) Communications Shift Supervisor" means that no more than one Communications Shift Supervisor may take vacation on the same "work day", whereas "One (1) Sergeant per Shift" pertains only to that shift.
  - A. **Operations Bureau**
    1. **Patrol Section**
      - a) Lieutenant - two (2) Lieutenants.
      - b) Sergeant - one (1) Sergeant per shift.
      - c) Police Officer - no more than two (2) police officers per platoon. Current minimum complement must be maintained.
      - d) Canine Officer - One (1) Canine Officer.
      - e) Public Service Professionals - one (1) PSP per shift.
    2. **Traffic Section**  
Two (2) Police Officers.
    3. One (1) Administrative Law Enforcement Coordinator or one (1) Payroll Technician.
  - B. **Criminal Investigations Bureau**
    1. **Supervisors**
      - a) Two (2) Command level officers.
      - b) Three (3) Investigative Sergeants.
    2. **Investigative Sections**

- a) One (1) investigator for any section with less than four (4) investigators assigned. A section with four (4) or more assigned personnel may have two (2) investigators.
      - b) One (1) Crime Scene Investigator.
      - c) One (1) Computer Lab Investigator.
    - 3. Administrative Law Enforcement Coordinator and Administrative Secretaries
      - a) One (1) Administrative Law Enforcement Coordinator and one (1) Administrative Secretary or
      - b) Two (2) Administrative Secretaries.
  - C. Technical Services Bureau
    - 1. One (1) Captain or one (1) Detention Lieutenant.
    - 2. Two (2) Station Sergeants.
    - 3. One (1) Property Room Technician.
    - 4. One (1) Communications Shift Supervisor.
    - 5. A maximum of three (3) Public Safety Dispatchers at a time but no more than one (1) per shift grouping.
    - 6. One (1) Detention Officer per shift.
    - 7. A total of four (4) Records Clerks, to include the Records Supervisor.
    - 8. One (1) Administrative Law Enforcement Coordinator or one (1) Alarm/Impound Officer.
  - D. Staff Support Bureau
    - 1. One (1) Captain or one (1) Lieutenant.
    - 2. One (1) SRO Sergeant.
    - 3. One (1) Background Investigator.
  - E. Administrative Staff Positions
    - 1. One (1) Assistant Chief.
    - 2. Two (2) Captains.
    - 3. One (1) Admin Lieutenant or One (1) Canine Sergeant.
    - 4. One (1) Crime Analyst.
  - IV. Vacation Overlaps
 

Any request to deviate from the guidelines established in this order must be submitted in writing to the Bureau Commander for approval prior to the vacation time being placed on the schedule.
  - V. Annual Vacation Schedule
 

Vacations of less than three (3) days will not be scheduled for personnel working eight hour days, nor less than two (2) days for personnel working ten hour days. A command level officer may schedule one (1) or two (2) vacation days on a monthly schedule if there is no conflict.
- EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-57; REVISED: January, 1992; REVISED: January, 1996; REVISED: November, 1999; REVISED: March, 2001; REVISED: August, 2003; REVISED: June, 2005; REVISED: August, 2011; REVISED: October, 2017

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>114.00 INVESTIGATION OF POLICE RELATED DEATH OR SERIOUS INJURY</b>
	<b>Effective Date: July, 2017</b>
	Approved: _____ <div align="center">           Chief of Police       </div>

#### PHILOSOPHY:

There are few instances in law enforcement that creates greater anxiety for a peace officer than the use of lethal force. The State of Texas empowers peace officers with its legitimate use, which is defined in the Texas Penal Code. A complete, thorough and unbiased investigation is necessary to protect the professional ethics and integrity of the Mesquite Police Department. This order applies to those situations where the loss or attempted loss of human life may result from the actions of any Mesquite police officer. Compliance with the provisions of this order will contribute to the maintenance of public confidence in the Mesquite Police Department.

#### I. Overall Responsibility

- A. The Crimes Against Persons Section (CAPERS) of the Criminal Investigations Bureau has the responsibility for investigating incidents when the injury or death of another person results from a lethal police action. This includes all officer involved shootings, the intentional use of a motor vehicle as deadly weapon, and other means that may cause death of serious bodily injury.
- B. This General Order is intended to guide and provide assistance with the investigation of an incident as stated in I.A. If necessary, a lieutenant or above may authorize deviation from steps listed in this order. However, such deviation will be based upon careful consideration of all the facts and the totality of the circumstances known at the time.

#### II. Investigative Designation

- A. Generally, there will be two investigations: A criminal investigation and an administrative investigation. The criminal investigation will be conducted by the Special Investigations Unit (SIU) comprised of investigators of the CAPERS Section of the Criminal Investigations Bureau. The administrative investigation is normally conducted by Internal Affairs or another representative specifically designated by the Chief of Police.
- B. The responsibilities of the first supervisor to arrive at the scene include, but are not limited to:
  - 1. Secure the incident scene. Designate the inner perimeter with crime scene tape and designate an outer perimeter.
  - 2. Locate and identify witnesses.
  - 3. Provide details to ranking officers who require administrative information.
  - 4. Make the proper notifications as warranted (i.e. Watch Commander, Crime Scene Investigation (CSI) and CAPERS Section of the Criminal Investigations Bureau, the Public Information Officer (PIO), and the Internal Affairs Investigator)
  - 5. Thoroughly brief the SIU when they arrive at the scene.
  - 6. Ensure that uninjured officer(s) involved in the incident are segregated from the inner perimeter as soon as possible. The involved officer should not leave the outer perimeter without the supervisor's consent.
  - 7. Allow the involved officer(s) to choose a companion officer - the companion officer will not be an officer involved in the incident. The companion officer may assist with notification of a legal representative. However, he/she should not provide legal advice, will not participate in the walk through, should not discuss the specific details of the incident with the involved officer and will not be allowed inside the inner perimeter.

8. Ensure that involved officers are afforded an early opportunity to communicate with family members and contact a legal representative. If necessary, the companion officer may coordinate needed transportation or other arrangements for family members. However, family members will not be brought to the scene of the incident.
- C. The Special Investigations Unit (SIU)
1. Generally, the SIU consists of the CID lieutenant, the CAPERS sergeant, at least two criminal investigators, the CSI sergeant and two CSI investigators from the Criminal Investigations Bureau.
  2. The Officer in Charge (OIC)  
Generally, the officer in charge of the investigation is the CAPERS sergeant. The OIC is responsible for the investigation and the incident scene and will coordinate all the investigative efforts. The CSI sergeant is responsible for the inner perimeter until his/her investigation is completed. The lieutenant will assume responsibility for the entire event and ensure the SIU has all the equipment, material, manpower and other resources necessary to perform their investigation. The lieutenant will also keep the chain of command informed with accurate and updated information throughout the investigation. The OIC is also responsible for carrying out special requests made by the lieutenant and the chain of command.
  3. Types of incidents investigated by the SIU include, but are not limited to:
    - a) Police involved shootings resulting in serious bodily injury or death to an officer or citizen.
    - b) Police incidents resulting in serious bodily injury or death to an officer or person except motor vehicle accidents.
    - c) When a person dies or is seriously injured while in police custody. This includes incidents that occur in the jail.
    - d) When a police officer intentionally discharges a firearm (excluding approved firearms training and shooting at an animal).
    - e) Any incident as directed by the Chief of Police or his designee.
- D. Animal Shootings:  
When an officer discharges a firearm at an animal and no one is injured the incident will be thoroughly investigated by an on-duty supervisor. The investigation will be thorough and complete and include statements from the involved officer(s) and witnesses, photographs and a qualified range officer ensuring the weapon(s) function properly. The involved officer's Bureau Commander is responsible for the completion of a potential for suit report including related documents for submission to the legal department.
- III. Investigative Procedures
- A. The criminal investigation will utilize procedures and protocols already established by the Criminal Investigations Bureau. The CSI section will conduct the crime scene investigation and recover physical evidence. This includes the retrieval of the involved officer's weapon utilizing procedures and protocols specific to that section.
  - B. Officer's Right to Counsel  
During the course of the criminal investigation, the involved officer(s) are entitled to have access to legal representation (at his/her own expense) beginning at the scene and continuing throughout the investigation. Officers who are witnesses to the incident (and not subject to a criminal investigation) are not entitled to legal representation.
    1. During the walk through the officer's attorney may accompany him/her if the attorney can be present at the scene of the walk through within a reasonable time. A reasonable time is defined as within one-hour of being notified of the incident. The attorney will not be allowed inside the inner perimeter unescorted.





2. During a criminal investigation while being interviewed and preparing a written statement an involved officer may have his/her attorney present.
  3. Attorneys will not be allowed to have a group meeting with the involved officers while at the crime scene or in the Criminal Investigations offices. Nor will attorneys be allowed to interview witness officers at the scene or in the Criminal Investigations offices.
- C. The Division Assistant Chief will place the involved officer on special assignment until a preliminary administrative review can be conducted . If necessary, the Division Assistant Chief may schedule additional special assignment time. The officer's Bureau Commander will determine the type of assignment.
  - D. The Division Assistant Chief will arrange for a psychological resource person to contact the involved officer within 24 hours of the incident.
  - E. Officer Involved File and Investigative Records
    1. The OIC or his/her designee is responsible for the creation and maintenance of the investigative file. This will be a complete record of all the steps taken in the investigation and will contain all documents and recordings pertaining to the investigation.
    2. As soon as possible the OIC or the lieutenant will prepare an investigative summary about the incident and forward it to the Chief of Police.
  - F. The OIC will make a recommendation through the lieutenant whether criminal charges should be filed. Unless directed otherwise, the OIC is responsible for initiating a Grand Jury referral of the incident.
  - G. The OIC or the lieutenant will keep the involved officer's Bureau Commander informed on the condition of any injured persons and on the status of the Grand Jury hearing. The involved officer's Bureau Commander will ensure that he/she is kept fully informed on the status of the case.
- IV. Administrative Investigations
- A. Officers who are upset over the incident to the degree that submission of an accurate Special Report is not possible may be released to report back to the administrative investigator at a later time.
  - B. As the Sixth Amendment Right to counsel does not attach in an administrative investigation, the officer's attorney will not be permitted to be present with, or confer with the officer during the writing, review, or signing of the Special Report.
  - C. Criminal Investigations personnel will not have access to the officer's Special Report, nor will it be used in consideration of any criminal prosecution against the officer.
  - D. The administrative investigator shall have full access to the criminal investigations file on the incident.

EFFECTIVE: April, 1985; REVISED: September, 1990; FORMERLY: B/85-60; REVISED: January, 1992; REVISED: August, 2003; REVISED: March, 2004; REVISED: October, 2006; REVISED: August, 2011; REVISED: July, 2017.

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>115.00 PUBLIC INFORMATION OFFICER</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

#### PURPOSE

The purpose of this General Order is to establish and describe the department's policies, procedures, and responsibilities for the Public Information Officer (PIO).

#### POLICY

The Mesquite Police Department will strive to provide the news media and public with all information to which they are entitled by law.

##### I. Command and Accountability

- A. The PIO is the primary spokesperson for the Mesquite Police Department.
- B. The PIO will report directly to the Chief of Police.
- C. The Chief of Police will designate the PIO and alternate PIO.

##### II. Introduction

- A. Trust, cooperation and mutual respect between police and the news media is essential to realize the common objective of serving and informing the public. The goal of the Mesquite Police Department is to achieve the highest possible degree of cooperation with members of the media while projecting the best possible image of the department.
- B. Information will be released as required under provisions of the Texas Open Records Act, Attorney General's ORD Opinions, court decisions, federal law, etc.
- C. The department will make information on crimes and other incidents generally available to the news media unless such information is legally privileged or would violate the constitutional rights of an accused or is otherwise specifically prohibited.

##### III. Duties



- A. The PIO will assist media personnel in the daily activities of covering routine news stories as well as at the scene of incidents.
- B. The Watch Commander will be responsible for notifying the PIO of major events. The PIO is not required to be on-call at any specific time, but an attempt should be made to notify the PIO of major events. In the event the PIO or his alternate is unavailable, the Watch Commander will be responsible for handling media inquiries.

##### IV. Notifications

- A. It is the responsibility of the Watch Commander to promptly notify the PIO in case of a major event that will likely receive local or widespread media attention. Examples would be:
  - 1. death or serious injury or critical incident involving a police officer or department employee,
  - 2. any officer involved shooting resulting in injury to any person,
  - 3. homicide or wounding where death appears imminent,
  - 4. kidnapping or verified abduction,
  - 5. any prisoner escape from the MPD holding facility,
  - 6. barricaded person or hostage situation,
  - 7. missing persons when foul play is feared or when an extensive search is involved.
- B. News Releases:
  - 1. The PIO will have primary responsibility for preparing and distributing news releases. If the PIO and his alternate are unavailable and a release is needed, the Watch Commander is responsible for preparing a release.

2. The PIO will coordinate and authorize release of information concerning victims, witnesses and suspects in accordance with the Texas Public Information Act and the Texas Family Code.
  3. Releasing names of juveniles involved in offenses and the names of sexual assault victims is generally prohibited. The CID lieutenant will be consulted before releasing witness information or the release of suspect identification prior to arrest, filing of charges, or issuance of a warrant.
  4. The PIO will coordinate efforts with the City PIO when the information to be released concerns more than one department of the City of Mesquite.
  5. The PIO does not receive or process Open Records requests. Open Records requests are processed through the City Secretary's Office.
- V. Media Policy Revisions
- A. The Mesquite Police Department is committed to maintain progressive policies and procedures for media relations.
  - B. The PIO will work with local media to maintain such policies and periodically review policies.
- VI. Inter-agency Events
- A. The PIO will work with representatives from any other agency involved in any event that also involves the Mesquite Police Department.
  - B. The agency with primary jurisdiction will take the lead role in media relations and release of information.
  - C. The Mesquite Police Department will offer assistance where needed at the request of the primary agency.
  - D. Any information released by the Mesquite Police Department will be cleared through the appropriate representative of the agency of primary jurisdiction first.
- VII. Crime Scenes and Major Events
- A. In the case of a prolonged incident, the PIO should brief the media at regular, scheduled intervals.
  - B. Media representatives will be given a designated media location at the site of major incidents, when practical. Safety precautions will govern the exact location of the media area, but considerations will be made for line-of-site and camera angle possibilities.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-62; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2003; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>116.00 TEMPORARY SUPERVISION</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**APPLICABILITY:**

For the purpose of this order, the term "absence" includes sick, vacation, emergency or other leave, training, or administrative assignment. It does not include short-term periods out of service such as meal breaks, call response, firearms qualifications, meetings, conferences, etc.

Notwithstanding the provisions of this order, an authorized supervisor may designate a next-senior employee to fill a temporary supervisory role.



- I. **Watch Commander**
  - A. In the absence of the assigned Watch Commander, the duties and responsibilities of Watch Commander shall temporarily devolve generally upon the senior on-duty patrol sergeant. An Acting Watch Commander shall perform the same duties, with the same authority as an assigned Watch Commander.
  - B. A sergeant who serves as Watch Commander shall be compensated for such period of service at the base pay rate of a Police Lieutenant.
- II. **Platoon Sergeant**

In the absence of the assigned Platoon Sergeant (or while he is serving as Watch Commander), the following guidelines shall apply.

  - A. The span of control of a Platoon Sergeant should not exceed fourteen (14) patrol officers.
  - B. If the span of control reaches fifteen (15) patrol officers, additional supervision will normally be required.
  - C. If zone dispatching is in effect, a minimum of two patrol Sergeants will normally be required.
  - D. The Watch Commander has the authority to temporarily reassign personnel among platoons to correct a significant imbalance in spans of control.
- III. **Public Safety Dispatcher Supervisor**
  - A. In the absence of the assigned Shift Supervisor, the duties and responsibilities shall temporarily devolve upon a Public Safety Dispatcher that has been designated to serve as an Assistant Shift Supervisor and approved by the Bureau Commander.
  - B. If no Public Safety Dispatcher that has been designated to serve as an Assistant Shift Supervisor is on duty, attempts shall be made to contact an off-duty Public Safety Dispatcher Supervisor, or Public Safety Dispatcher that has been approved to serve as an Assistant Shift Supervisor, to fill the position.
  - C. If no person is available that can assume the role of Shift Supervisor, the Communications Lieutenant shall be notified of the absence and shall assign a replacement for the remainder of the shift, or until that person can be relieved by a supervisor.
  - D. Public Safety Dispatchers who are working on an overtime basis on a shift other than their regular shift will be considered for Shift Supervisor after those operators regularly assigned to the shift.
  - E. A Public Safety Dispatcher who serves as Shift Supervisor shall be compensated in accordance with current policy for such period of service.

EFFECTIVE: April, 1986; REVISE: September, 1990; FORMERLY: B/86-63; REVISED: January, 1996; REVISED: March, 1997; REVISED: July, 2000; REVISED: March, 2001; REVISED: August, 2011



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>117.00 MERITORIOUS CONDUCT BOARD</b>
	<b>Effective Date: December, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

The purpose of the Meritorious Conduct Board is to review the cases involving particularly meritorious service, and make recommendations for proper recognition of outstanding acts performed by employees of the Mesquite Police Department.

- I. The board receives recommendations made by any person for the presentation of awards.
- II. The board approves or disapproves the recommendations and when merited, decides what type of award is to be given.
- III. Any person who observes or receives information regarding the action of any officer which, in the opinion of the person, would qualify the officer for an award, will submit a report and sufficient documentation to the Chairman of the board as soon as possible after such action. Information must be presented to the board within one year of such incident.
- IV. The board can request that the nominating person, witnesses or others appear before the board and present documentation and/or testimony. The chairman, when requested by the board, may designate an officer to investigate any recommendation for any award, and report the findings to the board.
- V. **Board Composition**
  - A. The Chief of Police will serve as permanent Chairman of the Board. The board will not meet in absence of the Chairman.
  - B. The board will consist of the Chairman and ten (10) employees of the Mesquite Police Department who are appointed by the Chairman.
    1. Five Police Officers will be appointed.
    2. Two Sergeants will be appointed.
    3. One Lieutenant will be appointed.
    4. One Captain will be appointed.
    5. One Civilian will be appointed.
  - C. The board will not meet without the presence of the Chairman and five (5) board members.
  - D. The Chairman of the Board shall serve as the presiding officer and shall not have voting power.
  - E. The Chairman of the Board will coordinate with the public information officer in order that appropriate news releases may be made.
  - F. Board members will be appointed by the Chief of Police to three year terms commencing January 1st of each year with interim members remaining on the board for one month.
    1. The terms shall be staggered so that one-third of the board will be replaced each year. The first board shall have a random drawing for one, two and three year terms. All board members after the first board shall have three year terms.
    2. The Chairman of the Board will make new appointments as needed to fill vacancies created by promotions or resignations in order to insure continuity in the duties of the board. Board members promoted to a different rank shall be replaced.
- VI. **Board Procedures**
  - A. It shall be the responsibility of the chairman to call meetings of the board each January and October. Special meetings may be called as deemed necessary.
  - B. The chairman shall cause minutes of regular and special meetings to be taken and retained.

- C. Board deliberations will not be open to non-members of the board. Nominators, nominees, witnesses, or others may appear before the board at the request of the board or of the individual.
  - D. Board actions will be posted on departmental bulletin boards.
  - E. Following the board's action, the nominator or any other person may gather and present additional facts to the board at its next regular or called meeting.
- VII. Awards
- A. The Police Medal of Honor  
The highest award in the Mesquite Police Department. To be awarded to a police employee who voluntarily distinguishes himself conspicuously by gallantry and extraordinary heroism. The act must be in excess of normal demands and of such a nature that the employee was fully aware of the imminent threat to his personal safety and acted above and beyond the call of duty at the risk of his life.
  - B. The Police Cross  
To rank in the Mesquite Police Department next to the Medal of Honor. To be awarded where an employee lost his life in the performance of duty under honorable circumstances. The Police Cross may be awarded in addition to any other award the employee may be entitled to in making the supreme sacrifice.
  - C. The Police Medal for Valor  
Ranked next in prominence to the Police Cross. The Medal for Valor is to be awarded for exceptional bravery at imminent risk of serious bodily injury, the recipient having demonstrated exceptional courage by performing a voluntary course of action in an extremely dangerous situation.
  - D. The Meritorious Conduct Bar
    1. Ranked next in prominence to the Police Medal for Valor.
    2. May be awarded for a heroic deed and exceptionally meritorious conduct involving exemplary courage, risk and danger to his personal safety.
  - E. The Police Commendation Bar
    1. Ranked next in prominence to the Meritorious Conduct Bar.
    2. To be awarded to an officer for outstanding performance involving great risk to his or her personal safety while performing his or her duties.
    3. May be awarded to any police employee for outstanding contributions to law enforcement through the success of difficult police projects, programs or situations, with such contributions being made in a highly professional degree of accomplishment.
  - F. The Life Saving Bar
    1. Ranked next in prominence to the Police Commendation Bar. To be awarded to any employee for the saving of a human life. This award is intended for all employees directly responsible for the saving of a human life. Documentation and supporting evidence may be included to substantiate the award. Such evidence may include statements from witnesses, physicians or supervisors.
    2. This award may also be made where evidence indicates that actions by the employee(s) prolonged a human life to the extent of the victim being released to the care of medical authorities even though the victim might expire at a later time. Officers performing CPR to prolong a human life, and detention officers performing CPR after an attempted prisoner suicide, are examples of actions that qualify for this award.
    3. May be awarded in addition to the awarding of a higher medal where the facts show the recipient is entitled to such award.
  - G. The Police Shield
    1. Ranked next in prominence to the Life Saving Bar.



2. May be awarded to any police employee of the Mesquite Police Department who is seriously injured in the line of duty.
  3. The injury must not be the result of, or concurrent with, any conduct of the recipient that is less than acceptable by all standards.
  4. Although this award is primarily intended to recognize the victims of assaults, while properly performing their duties, the board may consider other types of serious injuries resulting from fires, explosions, etc. The board may not consider injuries sustained from falls on ice, motor vehicle accidents or similar injuries, unless the evidence indicates the victim had exhausted all reasonable safety precautions and had no control over the circumstances.
  5. Responsibility is placed on the board for interpreting "seriously injured" and will be decided on an individual case basis.
- H. The Certificate of Merit Bar
1. Ranked next in prominence to the Police Shield Award, to be awarded for excellence in police work.
  2. To be awarded to police employees of any rank for outstanding performance of duties under unusual, complicated or hazardous conditions over any period of time.
  3. To be awarded to police personnel for outstanding or superior performance of any assignment over a prolonged period of time. Such performance is to be clearly defined as exceptional, placing them well above other officers or civilians of equal rank or grade.
  4. May be awarded to any police employee for heroic or meritorious actions of such nature that they would not be eligible for a higher award. Under no circumstances will the Certificate of Merit be awarded in conjunction with another award for the same service or deed.
  5. May be awarded without bar to any police employee or reserve officer from another public safety agency qualifying under the above mentioned conditions, if earned while aiding or assisting any officer of the Mesquite Police Department.
- I. The Police Officer of the Year Award
1. Ranked next in prominence to the Certificate of Merit.
  2. The nominated officer must have completed two years of service.
  3. Letters of nomination may include:
    - a) Commendations and departmental awards;
    - b) Work on special projects
    - c) Civic activities (community involvement);
    - d) Attendance records
    - e) Overall performance (can include previous years).
- J. The Certificate of Civic Achievement
1. Ranked next in prominence to the Police Officer of the Year Award.
  2. To be presented to sworn and non-sworn employees of the Department who bring favorable recognition to the Department through their involvement in civic affairs while acting in the capacity of an employee and representative of the Mesquite Police Department.
- K. The Marksmanship Award
1. Ranked next in prominence to the Certificate of Merit Bar. To be presented to any sworn personnel of the Mesquite Police Department. There are four (4) distinct levels of proficiency indicating the averages of an officer's qualifications/ training scores utilizing his primary duty weapon:
    - 76% to 81% Pistol Marksman or Revolver Marksman
    - 82% to 87% Pistol Sharpshooter or Revolver Sharpshooter
    - 88% to 93% Pistol Expert or Revolver Expert

- 94% to 100% Pistol Master or Revolver Master
2. A single bar (revolver or pistol) may be awarded to an officer that qualifies at a particular proficiency level. Bars may be upgraded to the next higher level of proficiency, as necessary.
  3. Once an officer receives a standard "Master" level proficiency bar, he may become eligible for a distinct "Multi-Master" bar. The "Multi-Master" bar denotes the type of firearm utilized at this proficiency level and the number of years (times) that an officer achieved this status. It is not necessary for an officer to shoot at "Master" level status in consecutive years to be eligible for this bar. It shall be upgraded each year that an officer meets all the requirements. These bars will be upgraded on an "exchange" basis. This is the only level that an officer may receive a bar in both the revolver and pistol category.
  4. An officer must meet all the requirements set forth by the current General Order regarding firearm qualification/training to be eligible for consideration of any firearms proficiency award.
  5. Documentation of recommended awards will be available for inspection if the Meritorious Conduct Board desires to review qualification scores. The Range Officer will recommend awards to the Meritorious Conduct Board.
- L. The Safe Driving Award
1. Ranked next in prominence to the Excellence in Firearms Bar. This award is made in recognition of an employee who operates a vehicle in the normal course of their duties, having driven for a period of at least five years without a chargeable accident in a departmental vehicle.
  2. Each successive Safe Driving Bar shall be awarded in five-year increments consecutively.
- M. The Perfect Attendance Award
1. Ranked next in prominence to the Safe Driving Bar. To be presented, in the form of a certificate with bar, to an employee who completes three consecutive years of service without an absence due to illness or an absence without leave.
  2. To be presented, in the form of a certificate without bar, to an employee of the Mesquite Police Department who completes a year of service without an absence due to illness or an absence without leave.
- N. Years of Service Award
1. Ranked next in prominence to the Perfect Attendance Award.
  2. To be presented in the form of a certificate with bar, to any commissioned or uniformed employee of the police department for completing five years of service.
  3. The award is presented in five-year increments.
- O. The Non-Sworn Employee of the Year Award
1. The nominated employee must have completed one year of service.
  2. Criteria for this award may include:
    - a) Commendations and departmental awards;
    - b) Specific incidents of exemplary performance;
    - c) Work on special projects;
    - d) Civic activities (community involvement);
    - e) Attendance record;
    - f) Overall performance (can include previous years).
- P. Employees Eligible for Awards
1. The Chief of Police, at his or her discretion, may allow recommendations for certain (if the criteria applies to the job function) meritorious conduct awards to be presented for review to the Meritorious Conduct Board.
- Q. Citizens Certificate of Merit



1. Citizens may be recommended for an award for outstanding service to the police department or for assistance to police personnel.
2. The Chief of Police may award a Citizen's Certificate of Merit on his own initiative in cases where such award is appropriate. He may also refer a recommendation for such award to the Meritorious Conduct Board for action.

VIII. Wearing of Awards

The wearing of bars, pins, insignia, etc., approved by the Chief of Police will be worn on the uniform in compliance with Written Directive 404.00.

EFFECTIVE: September, 1990; REVISED: January, 1992; REVISED: January, 1996; REVISED: March, 2001; REVISED: August, 2011; REVISED: December, 2013



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>118.00 COUNTY COURT STANDBY SYSTEM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Definitions:
  - A. Court Notices  
Court Notices are requests for police personnel to appear in Court, an examining trial, the Grand Jury or for an interview with District Attorney personnel. A court notice may be generated by mail, telephone call, or computer. The most common means of requests are computer generated routing slips on the Dallas County court notify computer database.
  - B. Standby System  
A Standby System is a system whereby police personnel are notified of court settings, Grand Jury settings, examining trials and prosecutor interviews. The basic objectives of the standby system is to allow police personnel to remain at their duty assignments until actually needed in Court, and to avoid expending municipal funds for Court appearances by off-duty personnel through their selection of standby status.
- II. Documentation  
Upon receipt of any court notice the administrative secretary and the bureau secretary to which the notice is routed, will document the time and date received on the court notice.
- III. Appearance Guidelines
  - A. All police personnel will appear in any Dallas County Court or for an interview with the prosecutor as directed by:
    1. A legal subpoena
    2. A court notice generated by the District Attorney's Office (by paper routing slip or computer generated routing slips on the court notify computer database)
  - B. No legal subpoena will be accepted by anyone other than the person named in the subpoena, the Chief of Police or his designee.
- IV. Standby System Procedures On Duty
  - A. District Attorney personnel will evidence court notices by computer generated routing slips on the court notify computer database. Court notices should be forwarded to the police agency or posted on the computer database so that they will be received ten (10) days in advance of the date police personnel are needed.
  - B. All on-duty officers will call the Prosecutor and place themselves on standby for court notices.
- V. Standby System Procedures - Off Duty
  - A. Off-duty officers have the option to either report to court or request standby.
    1. Officers who receive a court notice with a court setting scheduled on their day off or on their off-duty time may call the Prosecutor for standby status any time between receiving notification and one hour before the court setting (weekends and holidays not included). The information needed for standby is the officer's phone number where the officer can be reached (cell phone, home phone, off-duty job number, pager, etc.). If an officer changes location during his standby period, he should notify the Prosecutor immediately. Off-duty officers who elect to take standby status may use the time as they desire during the standby period, as long as the officer can be contacted by the Prosecutor, and can appear in court within the prescribed time limits, properly attired.
    2. The officers will respond immediately upon notification, but will be allowed one hour including travel time, to arrive in Court.

3. If an officer has not heard from the Prosecutor within three hours after the time indicated on the officer's court notice, then their standby status will be automatically terminated.

VI. Emergency Situations:

If, while en route to court, an officer becomes involved in an unexpected emergency situation that will make him late, the officer will notify the Prosecutor by dispatcher or phone. The officer will continue to court as soon as possible.


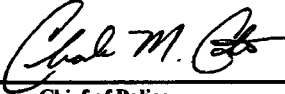
VII. Conflicts with Court Notices:

- A. Officers shall update the Dallas County court notify computer database of any scheduled vacation days or holidays or the change in any vacation days or holidays throughout the calendar year.
- B. A supervisor or the subpoenaed police officer will notify the Prosecutor within twenty-four hours of receiving a Court notice, if, on the date the officer is to appear in court, the officer will be on vacation, military leave, special assignment, etc., or as soon as possible, if an officer is injured or on sick leave and will be unable to comply with a court notice.
- C. If the Prosecutor is not notified within twenty-four (24) hours, the officer will be required to be in court or on standby status.
- D. The District Attorney will notify the Court in a timely manner of the conflict and request that the case be reset if it cannot be tried without the requested police personnel witnesses.

VIII. Officer's duties.

Officers shall check the Dallas County court notify computer database on a routine basis and acknowledge scheduled court cases.

EFFECTIVE: January, 1991, REVISED: January, 1992 By the Mesquite Police Department; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>119.00 PROBATION REVIEW</b>
	<b>Effective Date: January, 2019</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Purpose
 

A Probation Review Board will meet to review the probationary period of each probationary officer prior to the conclusion of that officer's probationary period.
  - II. Board Composition
 



The board will be appointed by the Chief of Police or his designee and consist of three (3) positions, including:

    1. One (1) Lieutenant - Board Chairman
    2. One (1) Sergeant
    3. One (1) Field Training Officer
  - III. Procedures
    - A. The Office Coordinator of the Staff Support Bureau will schedule and coordinate Probation Review Board meetings.
    - B. The board shall interview the probationary officer. The board shall also interview any other employee of the department who requests an appearance as well as any employee who, in the determination of the Board, might provide information helpful to the board.
    - C. The board shall review comments of the officer's supervisor, as well as the officer's training file and personnel file. Supervisor's written comments provided for board consideration shall be destroyed when the officer achieves permanent employee status. Should the officer not be retained as a permanent employee, written supervisory comments shall be retained as part of the file.
    - D. Board recommendations shall be submitted to the Chief of Police no later than two weeks prior to the expiration of a probationary period.
    - E. Should a probationary officer not complete their field training due to performance deficiencies prior to their scheduled probation review board, their board shall be canceled and their name forwarded to the Chief of Police, through the Staff Support Chain of Command, with a recommendation for termination.
  - IV. Civilian Employees
    - A. The process and procedures set forth herein shall also be utilized for civilian employee probation review.
    - B. On civilian probation reviews, the Field Training Officer position on the board shall be temporarily filled by a civilian employee of the same or similar classification as the probationary employee.
- EFFECTIVE: January, 1992; March, 1994; REVISED: January, 1996; REVISED: August, 2011; REVISED: January, 2019

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>120.00 DRUG AND ALCOHOL POLICY</b>
	<b>Effective Date: June, 2015</b>
	Approved:  _____ Chief of Police

**I. Definitions**

- A. Drugs - any type of substance whose use or possession is regulated by law, including, but not limited to: prescription medication, any substance listed as a controlled substance in Title 21 of the U.S. Code, narcotics, stimulants, hallucinogens, depressants, steroids, marijuana, hashish, cocaine, heroin, morphine, codeine, opiates, phencyclidine, amphetamines, inhalants, barbiturates, and lysergic acid diethylamide. Also included are mind altering, behavior modification, psychotropic or psychoactive drugs or chemicals, and over the counter medications.
- B. Alcohol - means alcohol or any beverage containing more than one-half of one percent of alcohol by volume which is capable of use for beverage purposes, either alone or when diluted.
- C. Dependence - A condition in which a person is dependent on a substance, other than tobacco or ordinary caffeine containing beverages as evidenced by:
  - 1. Increased tolerance to substances
  - 2. Withdrawal symptoms without substances
  - 3. Lack of control of use of substances
  - 4. Continued use even with decline in physical health, social, personal, or occupational performance.
- D. Intoxicated - Not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of these substances, or any other substance into the body. Having an alcohol concentration of 0.08 or more. Texas Penal Code §49.01(2).
- E. Substance Abuse - any improper, unauthorized, illegal, or excessive use of drugs or alcohol, including, but not limited to, the following:
  - 1. Ingestion, inhalation, or injection of drugs or alcohol during work hours, in a City vehicle, or on City property.
  - 2. Ingestion, inhalation, or injection of drugs or alcohol during non-working hours which affects an employee's ability to properly and efficiently perform assigned duties during working hours.
  - 3. Being intoxicated, under the influence, or impaired while on duty.
  - 4. Use of a prescription or over-the-counter medication in a manner in which it was not intended.
- F. Under the Influence or Impaired - any use of alcohol or drugs which, to any degree, may limit an employee's ability to properly and efficiently perform his or her duties or poses a threat to the safety of the employee, other employees, citizens, or property.

**II. Purpose**

- A. It is the policy of the City to provide a work environment which is free from the use, consumption, sale, distribution, or possession of drugs or alcohol. The specific purpose of the policy is to outline the methods for maintaining a work environment free from the effects of drugs and alcohol. Illegal or improper use of drugs and alcohol can seriously damage physical health, impair judgment, cause psychological injury, and jeopardize the employee's safety and the safety of others.
- B. While at work, each City employee has a responsibility to deliver service in a safe, efficient, and conscientious manner. Therefore, the use, sale, distribution, possession or

being under the influence of alcohol or any drug, including prescription medication, as outlined in the provisions of this policy, is strictly prohibited.

- C. Employees in need of assistance regarding drug or alcohol usage are encouraged to explore the use of leave time and medical benefits in obtaining assistance through public and private referral agencies specializing in chemical dependency before the problem affects their job.
- D. In order to meet the objectives of this policy, the City has established a drug and alcohol-free awareness program for the purpose of informing employees about the dangers of alcohol and substance abuse, the City's Controlled Substance and Alcohol Abuse Policy, the availability of substance abuse counseling, rehabilitation programs, and disciplinary actions that may be imposed on an employee for violations of the City's Controlled Substance and Alcohol Abuse Policy.
- E. All employees, and especially supervisory personnel, will be provided with training necessary to identify work-related performance problems; to identify potential symptoms of substance abuse; to understand the methods of drug and alcohol testing; to document reasonable suspicion instances; and to understand and implement guidelines for disciplinary action.
- F. This policy is intended to protect the safety of each employee and his or her co-workers, property, and the public. Employees failing to follow any portion of this policy may be subject to disciplinary action, up to and including termination.

### III. Alcohol/Drug Use

- A. Illegal use or possession of drugs, whether on-duty or off-duty, is prohibited and shall constitute a dischargeable offense.
- B. Except for the proper use or possession of prescription or non-prescription medication in accordance with section C below, the use, sale, or personal possession (such as on the person or in a desk, work area, locker, or vehicle) of drugs or alcohol while on duty, in a City vehicle, or on City property at any time is prohibited and shall constitute a dischargeable offense. Employees shall not bring or keep any alcohol on departmental premises, except in the furtherance of a police task. Any alcohol present on departmental premises shall be properly identified and stored according to policy.
- C. Prescription and Non-Prescription Medication.
  - 1. Employees taking any prescription medication must report such use to the Chief of Police or his designee if the use of such drugs may affect the worker's ability to perform assigned duties.
  - 2. Before taking any prescription medication, it is the employee's responsibility to ascertain from his or her physician and/or pharmacist whether the medication may have an adverse impact on the employee's performance of his or her duties, and, if so, to then submit a written statement from the employee's physician regarding the manner in which such drug could affect the employee. The physician will be provided a job description of the affected employee's position along with a standardized form. The form will require the physician to categorize the employee as fit or unfit for duty while taking the prescribed medication.
  - 3. Without limiting the foregoing requirements, employees shall report the use of any prescription medication or drug
    - a) which is a narcotic, stimulant, or hallucinogen,
    - b) which could cause drowsiness, altered mental capabilities, or reduced motor functions, or
    - c) which is accompanied by labels or warnings regarding the use of operation of heavy equipment or automobiles.
  - 4. Any information received from an employee under this provision will be kept confidential except to the extent it may be shared with individuals who are in a

need-to-know position, such as the employee's immediate supervisor or as required by state or federal law.

5. The use of medications that are legally available over-the-counter is excluded from the requirements of this policy, unless such use results in a state of intoxication or impairment that is clearly a hazard to safety.
  - D. Any use of drugs or alcohol that may have or has an adverse effect on the employee's performance or that could jeopardize the safety of others, City equipment, the City's relations with the public, or the reputation of the Department is a violation of this policy.
  - E. No employee shall report to work with the odor of alcohol on his or her breath.
  - F. Employees shall not consume drugs or alcohol while off-duty to the extent that such drug or alcohol use is perceivable by others when reporting for duty, when on duty, or when in uniform, or to the extent their job performance is impaired.
  - G. Employees shall not consume or use any substance which, by reason of odor or other characteristic, might reasonably lead a member of the public to conclude that the employee had consumed alcohol, or was under the influence of alcohol, while on duty or in uniform.
  - H. Employees shall not be intoxicated while on duty or in uniform. They shall not at any time be intoxicated in public view, whether on or off-duty, in uniform or out of uniform.
  - I. No employee in uniform shall purchase, possess, be under the influence of, or consume drugs or alcohol while on or off duty. Possession of lawfully seized drugs or alcohol for the purpose of transporting such items to the official departmental property control officer is not a violation of this section. The seized items shall be properly identified and stored according to policy.
  - J. The illegal use of anabolic or androgenic steroids is prohibited.
- IV. Employee Responsibilities
- A. Employees scheduled to be on call are expected to be fit for duty upon reporting to work. An employee scheduled to be on call who is called out is subject to the provisions in this policy.
  - B. An employee not scheduled to be on call who is called out and is under the influence of or impaired by legally prescribed drugs or alcohol must so advise his or her supervisor and will not be required to report to work. An employee who is called out and who reports to work but fails to notify his or her supervisor that he or she is under the influence or impaired may be subject to disciplinary action, up to and including termination.
  - C. All supervisors are responsible for carrying out the provisions of this policy and for recognizing and documenting the reasonable suspicion of drug or alcohol use by employees, substance abuse, and possible dependence.
  - D. It is the responsibility of each employee of the department to perform the duties and assume the responsibilities of his or her position and rank in the investigation of complaints or allegations of misconduct regarding employees of the department, and to cooperate fully with all personnel of the department conducting such investigation. Each alleged or suspected violation of this policy by an employee of the department shall be reported as soon as possible to a supervisor by any department employee, sworn or non-sworn, who observes the alleged violation. Supervisors will initiate investigations when they become aware of infractions by any employee of the department.
- V. Drug or Alcohol Testing
- A. Each employee of the department may be subject to testing on an unannounced, random basis using a scientifically valid, random number generation method, as described in Chapter 15 of the City of Mesquite General Government Policies and Procedures Manual.



- B. All employees reasonably suspected of substance abuse will be required to submit to testing.
- C. Testing will be required following a fleet motor vehicle or motorized equipment accident in any of the following circumstances:
  - 1. The accident results in a bodily injury which requires medical treatment.
  - 2. A City vehicle or other City property is damaged.
  - 3. A third party (non-employee) vehicle or property is damaged.
  - 4. When, in the judgment of the Chief of Police or his designee, an employee is involved in a fleet accident without justifiable cause or cannot be discounted as a contributing factor to an accident.
  - 5. When, in the judgment of the Chief of Police or his designee, an employee could have prevented the accident by being more alert.
  - 6. Employees who drive City vehicles on or off duty will be subjected to testing for motor vehicle accidents as described above.
- D. Procedures for Administrative Drug/Alcohol Testing
  - 1. Random Drug Testing – The City of Mesquite Human Resources Department will randomly select police employees for drug testing using the procedure outlined in V. (A) of this order. The notification will be routed to the selected employee's supervisor, who will notify the employee that they must report to Human Resources for the drug testing as soon as possible (the testing must be completed within two hours of the employee being notified of the test).
  - 2. Reasonable Suspicion Drug Testing – If a command level officer determines that there is reasonable suspicion to believe that an on-duty employee is under the influence, impaired or intoxicated by drugs or alcohol, they may pursue a reasonable suspicion drug test for the employee. The command level officer should document exactly why they believe the employee is impaired. They should then contact the Director of Human Resources, or if the Director of Human Resources is inaccessible within a reasonable period of time, the Chief of Police, for approval to conduct a reasonable suspicion drug test. If reasonable suspicion drug testing is approved, the watch commander will administer an oral fluids test for drugs and an alcohol breath test in the watch commander's office with another supervisor as a witness. If the initial tests are positive, inconclusive, or appear to have been altered, the employee will be driven to an approved collection site (current site can be found in the W.C. Guide Book under drug testing) for urinalysis and/or other federally recognized tests. If the initial tests are negative, the employee may still be driven to an approved collection site for urinalysis and/or other federally recognized tests if their symptoms and actions establish reasonable suspicion of impairment due to drugs or alcohol.
  - 3. Vehicle Accident – When an employee is tested following a motor vehicle accident as described in V. (C) of this order, the watch commander will administer an oral fluids test for drugs and an alcohol breath test in the watch commander's office with another supervisor as a witness. If the initial tests are positive, inconclusive, or appear to have been altered, the employee will be driven to an approved collection site (current site can be found in the W.C. Guide Book under drug testing) for urinalysis and/or other federally recognized tests.
  - 4. An employee may enter into a voluntary agreement for additional drug testing to be performed by the department. The terms of that agreement would provide the testing parameters; however, a positive test result under those circumstances could result in disciplinary action up to and including termination. Generally, this option would be considered after an employee has been involved in or suspected

of a drug or alcohol related event and both parties agree that additional testing would be useful in maintaining a work environment free from the effects of alcohol and controlled substances.

- VI. Applicability of City Controlled Substance and Alcohol Abuse and Testing Policy.  
All employees of the Mesquite Police Department are covered under this directive and also Chapter 15, Controlled Substance and Alcohol Abuse and Testing Policy, of the City of Mesquite General Government Policies and Procedures Manual and should become familiar with its contents.
- VII. This policy, when signed by the Chief of Police, is in effect immediately.  
EFFECTIVE: October, 2006; REVISED: August, 2011; REVISED: June, 2015

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>121.00 NEPOTISM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**PURPOSE:** To establish nepotism guidelines and procedures to be used in hiring employees of the Mesquite Police Department.

- I. **Definitions:**
  - A. **Position:** Includes all authorized assignments within the Mesquite Police Department whether sworn or non-sworn.
  - B. **Employee:** Any person employed in any position with the Mesquite Police Department.
- II. **Policy:**

It is the policy of the Mesquite Police Department to hire, staff, transfer and promote all employees in any position within the police department in accordance with Civil Service Rules and Regulations and City of Mesquite General Government Policies and Procedures. Specifically, issues of nepotism will be addressed according to the City of Mesquite General Government Policies and Procedures.


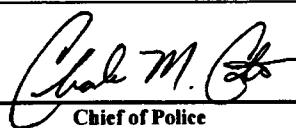
No applicant / employee who is related within the second degree by marriage or within the third degree by blood shall be permitted to work as an immediate supervisor to a relative.

**EFFECTIVE:** August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>122.00 LATERAL TRANSFER PROCESS</b>
	<b>Effective Date: January, 2019</b>
	<b>Approved:</b>  _____ Chief of Police

- I. **Purpose**  
The purpose of this section is to establish procedures for the selection process of job assignments and/or personnel transfers to specialized units within the Mesquite Police Department.
- II. **Policy**  
The Mesquite Police Department realizes that people are its most important and valuable asset. One goal of this directive is to establish a process by which employees are placed into assignments appropriate to their particular skills and qualifications. The primary goal of this policy is to select the person most capable of performing the duties required of the specialized position, to fulfill the operational needs of the Department.
- III. **Procedures**
  - A. In this policy, a "lateral transfer" means that the person is moving from a patrol assignment or some specialized assignment to a different specialized assignment. Examples would be moving from Patrol to CID or from SRO to Background Investigator. Simply moving from one specific job to another specific job within the same specialized assignment will not be considered a lateral transfer. For example, an SRO may move from School A to School B and it would not be considered a lateral transfer nor would it be subject to this procedure.
  - B. The following positions are sufficiently unique that they should always be filled through this policy (there are no jobs within the department that are similar enough to simply call it a job shift):
    1. Traffic Officer
    2. Crime Scene Investigator
    3. Background Investigations Officer
    4. Crime Prevention Officer
    5. Range Master
    6. Public Service Professional
    7. Property Room Technician
    8. Criminal Investigations
    9. School Resource Officer/L.E.T.S.
    10. Narcotics Officer
  - C. All lateral transfer job opening announcements should be announced through a department wide email and should be posted on the MPD Intranet. The job should remain posted and open for a minimum of 14 days. The Chief of Police may designate an officer to temporarily fill the assignment while the lateral transfer process takes place, if he determines that it is in the best interests of the Department.
  - D. Any job that is posted as a lateral transfer opportunity should be specifically described in the posting. For example, instead of posting a generic job description of "CID Investigator", the job posting should be for "Burglary and Theft Investigator" or "Forgery Investigator". The specific opening must be identified prior to the posting because it often determines which supervisor is responsible for filling the position.

- E. The immediate supervisor over the position to be filled has the responsibility for recommending the candidate for the position, however all other supervisors in the chain of command for the position being filled may make individual recommendations for or against any candidate.
1. Sworn candidates for lateral transfer must have at completed their probationary period as a Mesquite Police Officer to be considered.
  2. Eligible candidates may be encouraged to submit an application, but no promise of selection may be made or inferred to any candidate. Pre-selection is not allowed under this policy.
  3. The immediate supervisor must allow every eligible candidate who completes a Lateral Transfer Application packet an opportunity to interview for the position. The interview can either be a board-type interview or one-on-one.
  4. If there are any eligible candidates who have applied for a position, the opening will not be held over the due date or re-posted (unless all candidates are formally rejected as described below).
  5. The immediate supervisor responsible for the position will recommend their top candidate based on the totality of the information available to the supervisor. The recommendation will be presented in memorandum sent from the immediate supervisor for the position being filled directly to the Chief of Police without going through the chain of command. Prior to selection of a candidate by the Chief of Police, each supervisor in the Chain of Command for the position being filled will receive an alphabetical list of all candidates for the position and may elect to make a separate recommendation directly to the Chief of Police for or against any candidate for the position.
  6. Upon review of all recommendations, the Chief of Police will make the selection to fill the available position.
  7. The chain of command exception for this process is intended to avoid any bias toward any candidate based on factors other than the candidate's qualifications for the position. To provide transparency in the process, upon completion of the selection process by the Chief of Police, a candidate for any position may request a copy of any memorandum submitted to the Chief of Police by any supervisor during the selection process in support of or against the candidate for the position. Candidates may not request copies of memorandums written in support of or against other candidates for the position.
- F. The Lateral Transfer Process described in this order only applies to the rank of Police Officer or non-supervisory civilian positions. All transfers regarding supervisory personnel will be done at the sole discretion of the Chief of Police.
- G. Notwithstanding the process delineated within this order, the Chief of Police shall retain and may at any time exercise the absolute discretionary right to transfer any sworn or non-sworn personnel to any position for the good of the Mesquite Police Department. All assignments by the Mesquite Police Department are temporary and are subject to change at any time, with or without notice.

EFFECTIVE: April, 2011; REVISED: February, 2017; REVISED: July, 2017; REVISED: January, 2019



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>123.00 UNINTENTIONAL DISCHARGE</b>
	<b>Effective Date: March, 2013</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. **Policy Statement**  
The policy of the Mesquite Police Department is to review all unintentional discharges of weapons by officers while on-duty and off-duty if within the City of Mesquite. If an officer unintentionally discharges his weapon while off-duty in another city, the investigation will be handled by the agency having jurisdiction.
  - II. **Procedure**
    - A. All involved officers (witnesses, instructors, etc.) shall submit a memorandum through the chain of command to the Chief of Police.
    - B. The incident will be reviewed by the officer's chain of command.
    - C. The chain of command will make recommendations to the Chief of Police who will determine the severity of the incident and determine the appropriate disciplinary action.
    - D. This policy does not include weapons used for the honor guard, which only fire blank ammunition, or weapons that were modified for blank fire at the time of the incident.
    - E. This policy includes less-lethal weapons such as the Sage Less-Lethal, less-lethal shotgun rounds, gas munitions, TASER, and other specialty weapons.
- EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>124.00 BACKGROUND INVESTIGATIONS FOR SELECTION OF EMPLOYEES</b>
	<b>Effective Date: December, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

Background investigations are the most critical step in the selection process for new employees. The policy of the Mesquite Police Department is to conduct a background investigation on all sworn and non-sworn applicants prior to a conditional offer of employment. Background investigations should be an objective fact-finding process which results in an accurate record of the applicant's past behavior, conduct and job performance.

All background investigations shall be conducted in accordance with current Departmental General Orders, the City of Mesquite Policies and Procedures Manual, State and Federal Laws and will include the EEOC, ADA and the Civil Rights Act.

**II. Procedure**

- A. The Human Resources department will process all initial applications for positions within the police department.
- B. The Police department will receive all civilian applications (public safety dispatcher, detention officer, records clerk, etc.) from Human Resources and will conduct a preliminary review for disqualifications. Applicants who successfully pass this initial review will continue in the hiring process by completing the following steps:

- 1. Polygraph examination
- 2. Oral interview board (pass/fail)
- 3. Extensive background investigation



- C. Applicants for the position of police officer will be scheduled to take the competitive civil service written examination administered by the Human Resources department. Applicants for police officer will then continue through the following steps:

- 1. Physical assessment (pass/fail)
- 2. Polygraph examination
- 3. Oral interview board (pass/fail)
- 4. Extensive background investigation

The Training Sergeant will be responsible for assigning applicant background investigations to sworn officers who have received training in conducting applicant background investigations. Investigations will be completed in accordance with current department General Orders and standards set by the City of Mesquite Policies and Procedures Manual. Also, TCOLE rules will be consulted to prevent an applicant from continuing in the process who does not meet minimum requirements for a Texas Peace Officer license, Telecommunicator certification or Detention Officer certification. All background information and files shall be kept confidential and files shall be secured from unauthorized access.

- D. The completed background investigation will be submitted through the Staff Support Bureau chain of command for review and approval. If approved, the applicant will meet with the Chief of Police at which time a conditional offer of employment may be offered. If so, the applicant will complete the following steps:
  - 1. Full medical examination.
  - 2. Psychological examination.
- E. The Human Resources department will issue the final clearance for the applicant to be hired after the successful completion of both examinations.
- F. All applicant files will be kept in accordance with the City of Mesquite's records management and retention policy.
  - 1. All applications for those applicants that are not hired will be returned to Human Resources for filing.
  - 2. Any applicant that is hired, sworn or non-sworn, will have their background file stored at the police department in a secured location. All background files, interviews, certificates and documentation for the application will be kept together and stored securely.
  - 3. The secured storage may be by paper or electronically. Any electronic storage of applications shall be kept on secured computers, with access by only those authorized by the Chief of Police.
  - 4. All applications in which the applicant is hired shall be kept for the duration of their employment with the police department. Applications from retired or resigned employees will be kept in accordance with the City of Mesquite's current records management and retention policy.

EFFECTIVE: March, 2013; REVISED: December, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>125.00 EMPLOYEE SAFETY AND ACCIDENT PREVENTION</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">           Chief of Police       </div>

**I. Policy Statement**

The Mesquite Police Department is committed to providing employees with a safe workplace. Management gives top priority to the correction of unsafe conditions and strives to make each employee safe and efficient.

**II. Procedure**

**A. Safety and Training**

1. All employees will have access to the Mesquite Police Department Safety Plan via the intranet.
2. All employees will receive annual training on safety rules through training bulletins.

**B. Documentation**



1. All vehicle accidents and personal injuries involving city employees and occurring on-duty or in city vehicles will be reported, investigated, and reviewed.
2. Each Bureau Captain will ensure that all accidents and injuries are documented according to department policy.
3. The Chief of Police or his designee will hold an annual review of all accidents and injuries with Risk Management to review accidents and injuries and make recommendations for reduction efforts.

**EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>126.00 AFTER ACTION REPORT</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

In the course of daily departmental operations, occasionally events occur which can be categorized as natural disasters, man-made disasters, or non-routine incidents. When these events occur, an after action report is necessary in order to identify departmental strengths to be maintained and built upon, potential areas for further improvement, and recommend action to the Chief of Police for follow-up actions. The following procedures serve as a guide in preparing the after action reports.



**II. Procedure**

- A. Any natural disaster will be reviewed and documented in accordance to the Mesquite Emergency Operations Plan (M.E.O.P.). Bureau Captains will prepare after action reports for their bureau, for use by the department and the Office of Emergency Management.
- B. Incident reviews shall be conducted by the Bureau Captain or his designee after one of the following events has occurred:
  - 1. Tactical utilization- Follow current tactical incident review process through the tactical chain of command.
  - 2. Terrorist attack or other man-made disasters effecting a response from the police department.
  - 3. Infrastructure failures of the police building, satellite buildings, whether from human or natural causes.
  - 4. Officer involved shooting.
  - 5. Other incidents at the direction of the Chief of Police.
- C. Large scale events such as: fireworks shows, carnivals, air shows, bike rides, shoe sales, and other similar events where large crowds gather require an after action report. An after action report will be submitted by the Operation's Bureau Captain for any of these events.
- D. As a general rule After Action Reports will be submitted by the Bureau Captain or his designee on a memorandum to the Chief of Police no later than one week after the incident or event.

**EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>127.00 MAINTAINING COMPLIANCE WITH TEXAS LAW ENFORCEMENT BEST PRACTICES</b>
	<b>Effective Date: December, 2013</b>
	Approved: _____ <div style="text-align: center;">           Chief of Police       </div>

- I. **Policy Statement**  
 The accomplishment of the police mission occasionally requires specialized vehicles and equipment that are not routinely used or issued to a specific person. This equipment must be maintained and ready for use should a need arise. Maintaining compliance with Texas Law Enforcement Best Practices set forth by the Texas Recognition Program requires readiness inspection reports and reviews as outlined below.
- II. **Procedure for Readiness Inspections**
  - A. Each Bureau Captain will ensure that their bureau has identified and listed non-issued equipment items to be checked for readiness. A master list will be maintained in Administration.
  - B. Items may include but are not limited to:
    1. Crime scene vehicles
    2. Crime scene equipment
    3. Extra weapons
    4. Flashlights
    5. Armored personnel vehicles
    6. Riot gear
    7. Surveillance equipment
    8. Road flares
    9. Wave alarms
    10. Radar and laser units
    11. Tactical equipment
    12. Tactical weapons
  - C. The Bureau Captains will maintain their list and ensure that the readiness checks are completed then reported to the Chief of Police each quarter of the year.
  - D. The Technical Services Captain will coordinate with the Emergency Operations Management Coordinator in testing the Emergency Operations Center (EOC) and the back-up Communications Center equipment.
- III. **Maintaining Compliance with Texas Law Enforcement Best Practices**
  - A. The Staff Support Captain is responsible for ensuring continued compliance with the Texas Law Enforcement Best Practices.
  - B. The Staff Support Captain will design and implement a system to ensure all continuing compliance requirements are met and provide immediate feedback to the Chief of Police if a continuing compliance issue is not met.
  - C. The Staff Support Captain will ensure that all Best Practice reports are maintained and submitted.
  - D. The Texas Best Practices continuing requirements regulated by the Texas Recognition program are as follows:

Standard	Action Required	Timeframe
	Maintain/track all changes in Written Directives	Continuous
1.01	Review Organizational Chart and Update as Needed	Annual
1.02	Prepare Annual Budget	Annual
1.04	Review Written Directives and Update as Needed	Annual
1.10	Inventory of Agency Capital Assets	Annual
2.01	Bias Based Policing Report	Annual
3.01	Annual Firearms Qualification	Annual
3.02	Annual Deadly Force and Weapons Training	Annual
3.03	Annual Firearms Inspection	Annual
3.04	Use of Force and Less than Lethal Weapons Training	Biennially
3.06	Sworn Officer In-Service Training (TCOLE requirements)	Biennially
3.06	Sworn Officer Self Defense/Arrest (physical)	Biennially
3.10	Tactical Team Training	Quarterly
3.11	Hostage Negotiator Training 8 hrs	Annual
3.14	Field Training Process Review	Annual
3.19	Police Chief Training	Biennially
4.08	Performance Evaluations	Annual
4.10	Accident and Injury Analysis	Annual
6.10	Annual Use of Force Analysis	Annual
7.12	Confidential Fund Audit	Semi-Annual
7.14	Annual Pursuit Analysis	Annual
7.25	Quarterly Special Use Equipment Readiness Inspection	Quarterly
8.06	Quarterly Tactical Equipment Inspections	Quarterly
8.09	Documented Review of Emergency Operations Plan	Biennially
9.04	Documented Quarterly Test of Emergency Generator	Quarterly
9.08	Audit of Warrant Files	Courts
11.03	Annual Review of Emergency Procedures with Court Personnel	Annual
12.07	Inspection of Property Room	Semi-Annual
12.08	Inventory of Property Room	Annual
3.09	Supervisory Training	Every promotion
4.10	Accident or Injury Investigation and Review	Per Event
6.03	Use of Force Report and Review	Per Event
7.14	Pursuit Report and Review	Per Event
8.08	After Action Report	Per Event
Various	New Employee Training Sworn and Non-Sworn (ensure they receive policies and sign for them and receive necessary training as required)	Each New Employee
	<b>Inspections to ensure systems still operational</b>	
1.03	Ensure cash handling documentation and audits performed	Quarterly
2.05	Ensure investigation time limits are being observed	Per Event
2.07	Ensure Chief is receiving notification of complaints appropriately	Per Event
2.10	Ensure results of complaints are sent to complainant	Per Event
2.23	Ensure personnel files are retaining TCOLE information	Per Event
3.08	Any new non-sworn, training required is provided	Per Event

Standard	Action Required	Frequency
3.09	Any new promotion, training scheduled	Quarterly
3.10	Ensure Tactical training being conducted as required by policy	Quarterly
3.11	Ensure Hostage Negotiator Training being conducted as required	Annual
3.13	Ensure new FTOs receive FTO training	Per Event
3.18	Ensure new dispatchers have training as required	Per Event
4.05	Ensure Off-duty request process being utilized	Per Event
4.10	Ensure any accident or injury has had appropriate report	Per Event
6.03	Ensure Use of Force forms completed for all applicable events	Per Event
6.06	Ensure any firearms discharge properly reported	Per Event
7.12	Ensure audit of confidential funds completed or scheduled	Quarterly
7.14	Ensure all pursuits properly reported	Per Event
7.24	Ensure vehicle inspections being completed	Quarterly
8.08	Ensure after action report completed on each qualifying event	Per Event
9.02	Ensure Communications Center is being maintained in secure manner	Quarterly
9.03	Ensure playback system is working	Quarterly
9.04	Ensure Generator Testing is being documented as required	Quarterly
10.08	If Holding Facility, Ensure Fire Detection system operable	Quarterly
10.13	If Holding Facility, Ensure medications are properly being logged	Quarterly
10.18	If Holding Facility, Ensure cell inspections at beginning of shift documented	Quarterly
10.19	If Holding Facility, Ensure meal provisions are properly documented	Quarterly
10.20	If Holding Facility, Ensure prisoner checks are properly documented	Quarterly
10.22	If Holding Facility, Ensure Consular Notifications are being done	Quarterly
12.04	Ensure entry log in property room is being utilized properly	Quarterly
12.05	Ensure property is being disposed of properly	Quarterly

EFFECTIVE: March, 2013; REVISED: December, 2013





## MESQUITE POLICE DEPARTMENT

### 128.00 RESPONSIBILITY FOR ACCURATELY REPORTING WORK TIME

Effective Date: January, 2019

Approved: \_\_\_\_\_

Chief of Police

#### I. Policy Statement

Maintaining accurate work records is critical to ensuring that employees are paid properly and that employee benefits are properly administered. All MPD employees are responsible for ensuring that the work-time recorded for them in Telestaff accurately reflects the time they worked during that pay period. This includes ensuring that all vacation, sick, family sick, holiday, training or compensatory time is accurately recorded in Telestaff in a timely manner, along with any other exceptions to the normal work schedule.

#### II. Procedure

A. All time records for a pay period must be entered into Telestaff prior to the payroll cutoff (no later than Monday at 10 AM of the pay-week). Each pay period runs for a two week period starting on the Sunday of a pay-week and goes thru the Saturday before the next pay-week.

1. Within one pay period – If an employee realizes that they failed to record some event that has a “late-turned in” code (for example, late turned in overtime or compensatory time earned), they may make the entry during the next pay period and provide the details in the notes section of the record. If the employee realizes that they failed to record some event that does not have a “late-turned in” code (for example, they realize that they were not charged for a sick day they took in the last pay period), they should immediately notify their supervisor, who should notify the payroll clerk for correction.
2. After one pay period has passed – If an employee discovers any missing or incorrect Telestaff entry for their account that goes back further than the last pay period, they should write a memo to the Chief of Police explaining the error and detailing what the correct records should be.

B. Rules for offsetting time due to sick, or regular compensatory time:

1. If an employee takes regular compensatory or sick time during their scheduled shift, they may not earn overtime or compensatory time during their scheduled shift hours or within eight hours prior to or after the scheduled shift times. Regular compensatory time or overtime that is earned any time from eight hours prior to the start of the shift, through the entire regular shift, to eight hours after the end of the shift will be offset hour-for-hour during the work period in which the compensatory time or overtime is earned.
2. Vacation time or holiday time does not get offset. An employee can work overtime and be permitted to take time off as vacation or holiday leave during the same shift or day.

#### III. Responsibility



- A. Employees are responsible for ensuring that the records in Telestaff for their account are an accurate reflection of what they did during each pay period. Employees must ensure that their vacation, holiday, sick, overtime, comp time taken, comp time earned, etc. are accurate each pay period. Employees will be accountable for any discrepancies between what they actually worked and what their Telestaff records reflect. Telestaff records will be periodically audited and compared to other City records to ensure their accuracy.
- B. An employee’s immediate/on-duty supervisor is concurrently responsible for ensuring that the employee’s Telestaff time entries reflect their actual work assignments. This does

not relieve the employee from their responsibility to ensure that their time entry is correct.

- C. Bureau Commanders are responsible for ensuring that the attendance records of employees assigned to their bureau are recorded daily through the "Check-In" feature on the Telestaff roster.

**EFFECTIVE: December, 2013; REVISED: January, 2019**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>129.00 SOCIAL MEDIA</b>
	<b>Effective Date: December, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Purpose**

The department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes the department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

**II. Policy**

Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

**III. Definitions**

- *Blog*: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."
- *Page*: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- *Post*: Content an individual shares on a social media site or the act of publishing content on a site.
- *Profile*: Information that a user provides about himself or herself on a social networking site.
- *Social Media*: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).
- *Social Networks*: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- *Speech*: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- *Web 2.0*: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.
- *Wiki*: Web page(s) that can be edited collaboratively.

**IV. On-The-Job Use**

**A. Department-Sanctioned Presence**

1. Determine strategy

- a) Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
- b) Where possible, the page(s) should link to the department's official website.
- c) Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

2. Procedures

- a) All department social media sites or pages shall be approved by the chief of police or their designee and shall be administered by the staff support bureau unless otherwise determined.
- b) Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.
- c) Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
  - 1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.
  - 2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- d) Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.
  - 1) Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
  - 2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

3. Department-Sanctioned Use

- a) Department personnel representing the department via social media outlets shall do the following:
  - 1) Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
  - 2) Identify themselves as a member of the department.
  - 3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.
  - 4) Not conduct political activities or private business.
- b) The use of department computers by department personnel to access social media is prohibited without authorization.
- c) Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.
- d) Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about
  - a) missing persons;
  - b) wanted persons;
  - c) gang participation;
  - d) crimes perpetrated online (i.e., cyberbullying, cyberstalking); and
  - e) photos or videos of a crime posted by a participant or observer.
2. Social media can be used for community outreach and engagement by
  - a) providing crime prevention tips;
  - b) offering online-reporting opportunities;
  - c) sharing crime maps and data; and
  - d) soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).
3. Social media can be used to make time-sensitive notifications related to
  - a) road closures,
  - b) special events,
  - c) weather emergencies, and
  - d) missing or endangered persons.
4. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.
5. This department has an obligation to include Internet-based content when conducting background investigations of job candidates.
6. Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.
7. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
8. Search methods shall not involve techniques that are a violation of existing law.
9. Vetting techniques shall be applied uniformly to all candidates.
10. Every effort must be made to validate Internet-based information considered during the hiring process.

#### V. Personal Use

##### A. Precautions and Prohibitions



Barring state law or binding employment contracts to the contrary, department personnel shall abide by the following when using social media:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
2. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.
3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the chief of police or his or her designee.
4. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information

pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:

- a) Display department logos, uniforms, or similar identifying items on personal web pages.
  - b) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
- a) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
  - b) Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
7. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
8. Department personnel should be aware that they may be subject to civil litigation for:
- a) publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
  - b) publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
  - c) using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
  - d) publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
9. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
10. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
11. Reporting violations – Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

EFFECTIVE: December, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>130.00 TRAVEL POLICY</b>
	<b>Effective Date: November, 2014</b>
	<b>Approved:</b>  <div align="center">Chief of Police</div>

**I. Policy Statement**

The Mesquite Police Department adheres to the State of Texas per diem policy regarding limits for food and lodging. This policy will define allowable and non-allowable travel expenses and set forth policy and procedures for the payment and reimbursement of employee travel expenses.

**II. Procedure**

The Mesquite Police Department will reimburse or provide payment for employees travel to attend training classes and meetings, as well as travel required to conduct activities on behalf of the Department. All payments must conform to applicable City of Mesquite administrative directives, IRS rulings and this policy.

**A. Definition of Allowable and Non-Allowable Expenses**

1. The Mesquite Police Department will pay all reasonable expenses for employee travel, food, lodging, conference registration, tips, parking, taxis and other associated necessities according to this policy, provided the employee submits the appropriate documentation.
2. Travel time for non-local events should not exceed one-half day prior to and one-half day following the event unless approved by the Assistant Chief over the Division. Members who must remain at their travel destination to qualify for reduced airfares may be reimbursed for their additional meals, lodging, rental cars, parking, etc., if the combined cost of the additional expense is less than the cost of a non-discounted airfare and it is in the Department's interest to allow the member to be absent for the additional time.
3. Expenses excluded from Department reimbursement are health club dues, pay television, dry cleaning or laundry, bar bills and entertainment expenses not directly related to Police Department or City business and any expense that is deemed unreasonable by the Chief of Police.
4. When accompanied by a family member, the employee shall pay all incremental costs related to having the family member along on the trip. Examples of incremental costs include the difference in lodging cost between single and double occupancy, and all meal and incidental costs of the family member.

**B. Non-Local Travel**

Travel that requires an overnight stay is considered non-local. Non-local travel expenses are not authorized within Dallas, Kaufman, Rockwall, Collin, Denton, Tarrant, Ellis, Henderson, Van Zandt, or Hunt County (any county that Mesquite occupies or any county that touches a county that Mesquite occupies). Documentation of all non-local travel will be through a properly completed City of Mesquite Travel Request and Expenses Refund Form (Travel Voucher).

**1. Meals**

- a. The Department will pay the GSA approved per diem food allowance applicable for the school or conference location. All food receipts must be submitted with the Expenses Refund Form (Travel Voucher) and all money in excess of the receipts will be returned with the form. The current allowances for a location can be viewed at:  
<http://gsa.gov/portal/content/104877>

- b. On the first day of travel, if the employee leaves their home or the City of Mesquite (whichever time is earliest) before 7:00 am, the per diem rate for that day will be the full GSA amount. If the employee leaves after 7:00 am, the first day per diem is 75% of the GSA rate.
  - c. On the last day of travel, if the employee returns to their home or the City of Mesquite (whichever is later) before 6:00 pm, they will receive 75% of the GSA food rate for that day. If the employee returns after 6:00 pm, they will receive the full GSA rate for that day.
  - d. When employees attend an event in which a meal or meals are provided the amount for that meal will be deducted from the per diem and that amount returned with the travel voucher. Breakfast will count for 20%, lunch will count for 30% and dinner will count for 50% of the daily GSA per diem.
2. Transportation
- a. Members are expected to use the mode of transportation that will be the most economical to the Department considering cost and time consumed. City vehicles will be utilized whenever possible.
  - b. When public carrier transportation is necessary, the Department will pay for round trip airfare (coach class), train fare, bus fare, taxi fare, tips, tolls, auto rental (when required) and parking. Receipts for airport parking should be submitted. Long-term parking should be used whenever possible.
  - c. If a private vehicle is used (instead of a public carrier or City vehicle), expenses shall not exceed the cost of the round trip public carrier fare. This cost comparison may include parking, rental car and/or taxi costs as well as an evaluation of the lost employee productive work time and replacement expense due to driving versus flying. Members must receive prior approval for the use of a private vehicle before the event from the Assistant Chief of the Division. If approved, the Police Department will pay the current standard mileage rate approved by the City Manager for the use of a private vehicle.
3. Lodging
- a. The Department will pay the GSA approved per diem lodging allowance applicable for the school or conference location. The current allowances for a location can be viewed at: <http://gsa.gov/portal/content/104877>
4. Travel Arrangements
- a. The Staff Support Bureau will be responsible for booking all travel arrangements. This includes, but is not limited to, calculating the food allowance, making flight reservations, hotel reservations, course enrollment and vehicle rentals.
  - b. Funds will be advanced to members prior to departing on a non-local trip if desired. To obtain an advance, contact the Staff Support Bureau at least eight business days prior to departure. A check will be prepared for the employee to pick-up.
  - c. Within five business days after completion of a non-local trip, the employee must close out the worksheet by returning all receipts to the Staff Support Bureau. If the final accounting for travel expenses indicates that the amount advanced exceeded the cost of the trip, the balance refundable to the City shall be deposited with the City Cashier and a receipt showing that deposit shall be provided to Staff Support. In cases where approved expenditures exceed the advance, a reimbursement check will be processed with the next accounts payable.

C. Local Travel

Job related travel outside the City of Mesquite that does not require an overnight stay is considered local travel.

1. Meals

- a. Meal reimbursements will not be provided for local travel.

2. Transportation

- a. Members are expected to select the mode of transportation that will be the most economical to the Department considering cost and time consumed. City vehicles will be utilized whenever possible.
- b. The Department will reimburse members for expenses incurred during local travel including parking and tolls while on Department business. Members shall submit a properly completed Petty Cash voucher for these types of expenses associated with local travel.

EFFECTIVE: July, 2014; REVISED: November, 2014

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**200.00 OPERATIONS**

201.00 Operation of Emergency Vehicles .....	87
201.50 Pursuit Driving Policy.....	89
202.00 Severe Weather Watch Procedures .....	99
203.00 Attention to Duty .....	101
204.00 Delivery of Death Messages .....	103
205.00 Handling of Mentally Ill Persons .....	105
206.00 Vehicle Impoundments .....	109
207.00 Juvenile Guidelines and Policies.....	115
208.00 Tactical Team.....	123
209.00 Procedural Guidelines Regarding Investigative Prisoners .....	125
210.00 Investigative Suspension Guidelines .....	127
211.00 Expediter System .....	129
212.00 Procurement and Execution of Warrants of Arrest or Search .....	131
213.00 Use of Less-Lethal and Lethal Force .....	135
214.00 Bomb Threat/Fire Call Response .....	143
215.00 Dispatch of Calls for Service .....	149
216.00 Responding to and Reporting Offenses, Incidents and Motor Vehicle Accidents.....	151
217.00 Robbery Alarm Response .....	155
218.00 Arrest Authorization .....	157
219.00 9-1-1 Call Response.....	159
220.00 Class C Misdemeanor Case Procedure .....	163
221.00 High Risk Vehicle Stops/Apprehensions.....	167
222.00 Family Violence.....	169
223.00 Civil Standby, Protective Orders and Court Ordered Assistance.....	173
224.00 Undercover Operations .....	179
224.50 Expenditure of Funds in Criminal Investigations .....	183
225.00 Forfeiture of Contraband.....	185
226.00 Electronic Evidence Gathering .....	189
227.00 FTO Training Officer Program .....	191
228.00 DTO Training Officer Program .....	193
229.00 Bias Based Policing .....	195
230.00 Ride-Along Program .....	199
231.00 Mobile Video Camera System .....	201
232.00 Problem Oriented Policing (P.O.P.) Program .....	203
233.00 Alarm Response .....	205
234.00 Sequential Photographic Lineups and Field Identifications.....	209
235.00 Patrol Ride Outs.....	211
236.00 Traffic Enforcement Operations .....	213
237.00 Handling Missing Persons .....	215
238.00 Barricaded Suspects and Hostage Incident Response .....	219
239.00 Sex Offender Registration.....	221
240.00 Large-Scale Arrest Procedures.....	223
241.00 Municipal Court Operations.....	225
242.00 Searches Without a Warrant .....	227
243.00 Crisis Negotiations Team.....	229
244.00 Civil Disturbances.....	231
244.50 Special Response Team .....	232.1
245.00 Performance Evaluations – Sworn Personnel .....	233

**Exhibits**

Exhibit No. 200-1 Pursuit Analysis Report .....	96
Exhibit No. 200-2 Apprehension by Peace Officer without Warrant .....	108
Exhibit No. 200-3 Impounded Vehicle Report .....	113
Exhibit No. 200-4 Juvenile Release Agreement .....	120
Exhibit No. 200-5 Juvenile Charging Information DA Juvenile Division.....	121
Exhibit No. 200-6 Field Interview / Intelligence Form.....	122
Exhibit No. 200-7 Deadly Force .....	141
Exhibit No. 200-8 Bombs and Bomb Threats.....	145
Exhibit No. 200-9 Summons Information.....	164
Exhibit No. 200-10 Assault Affidavit.....	165
Exhibit No. 200-11 Family Violence / Domestic Disturbance Arrest Form.....	171

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>201.00 OPERATION OF EMERGENCY VEHICLES</b>
	<b>Effective Date: June, 2015</b>
	Approved:  Chief of Police

**I. Policy Statement**

Operation of emergency vehicles is one of the most serious duties and responsibilities of police officers. This statement of philosophy is intended as a broad guide to the application of these procedures, and as a description of the attitudes and considerations that will be in the minds of officers before and during the operation of emergency vehicles.

When responding to an emergency situation, an officer's primary consideration is the safety of the citizens, his fellow officers, and himself. Regardless of the purpose of the emergency response, it must not be achieved when the distinct possibility exists that someone will be seriously injured. Despite the risks inherent in all operations of emergency vehicles, situations exist that require officers to respond quickly to life threatening emergencies. In any situation, an officer must always base his decision to operate his vehicle as an emergency vehicle on facts, and never on assumptions.

It is not the intent of this order to prohibit or restrict officers unnecessarily from their duty to respond quickly to emergencies. Prohibition of this duty would result in an unconscionable decrease in the safety of the public and the officers; however, with the authority to operate emergency vehicles comes the solemn responsibility of exercising due regard for the protection of life and property.

**II. Routine Operations (Code I)**

- A. All calls for police service and all police operations are Code I (Routine) unless otherwise designated. The legal speed limit and all other traffic laws shall be observed.
- B. Officers operating a patrol vehicle equipped with a mobile keyboard should limit typing while driving to a few key strokes.

**III. Emergency Operations (Code II or Code III)**

- A. Emergency operation of a "marked" police vehicle equipped with emergency lights and siren is authorized when reasonably necessary to protect life or property, or to apprehend a violator. The responding officer is authorized to make a preliminary determination regarding an appropriate response code to a particular call, based on the criteria established by Provision III.F.
- B. The responding officer shall advise the Public Safety Dispatcher if he is responding Code II or Code III and all available video equipment should be utilized. If the Public Safety Dispatcher has information which would assist the officer in determining an appropriate response code, he shall advise the officer of that information. A supervisor may direct a change in response code.
- C. The speed of a police emergency vehicle should not exceed that which is reasonable, with due consideration given to the time of day, weather conditions, traffic patterns, traffic volume, roadway design, nature of the emergency, and other factors affecting the operation. As a general guideline, a speed greater than 15 mph over the posted limit would be inadvisable except under ideal circumstances and conditions.
- D. When approaching a red signal light or stop sign, the police emergency vehicle shall stop and yield right-of-way to all moving vehicles and pedestrians. The intersection shall be entered only after all traffic has stopped. Vehicle speed through the intersection should not exceed 10 mph.
- E. When approaching an intersection or traffic control device, the police emergency vehicle must be prepared to stop.



- F. A marked police vehicle may be operated Code II (as an emergency vehicle, without the use of red lights and siren) when the officer is responding to an emergency call, or is in pursuit of a violator, and has probable cause to believe that:

- 1.
- 2.
- 3.
- 4.

Should the suspect begin evasive action or attempt to elude the officer, the incident will be treated as a pursuit; red lights and siren will be activated and the current Pursuit Driving Policy will apply.

- G. Before an officer operates a police vehicle Code II, as authorized by Provision II.F. of this order, and by the Texas Transportation Code, Section 546.004(c), he shall notify the Police Communications Center of his intention to do so. The Public Safety Dispatcher shall note the time of such notification in the call sheet.
- H. When an officer operates a police vehicle Code III (as an emergency vehicle, other than in accordance with Provision II.F. and G. of this order), red lights and siren shall be used. The officer shall notify dispatch (immediately upon activation of lights and siren) that the officer is operating the vehicle Code III.
- I. If any malfunction or damage to the police vehicle or equipment occurs while the vehicle is being operated that has potential to increase the risk to the officer or to the public, the officer should cease operation of that vehicle immediately and initiate the process to repair the damage or equipment.
- J. Emergency Escort for Private Vehicles
1. When an officer in the field is requested to escort a private vehicle carrying an injured or ill person, the officer will evaluate the severity of the injury or illness. The officer should offer to call an ambulance and offer to administer first aid, if applicable.
  2. If the driver and patient refuse the officer's offer and want to continue to the nearest medical facility, the officer may escort the vehicle Code I. The Public Safety Dispatcher will be notified prior to the escort.
  3. If the situation is not of a life threatening nature, the officer will politely suggest that the driver proceed carefully and obey all traffic regulations and, if it seems appropriate, suggest the quickest and safest route to the hospital. Should the driver not know the way to the hospital, the officer may furnish an escort Code I only.
  4. If the operator of a vehicle being escorted does not comply with instructions, the escort shall be discontinued.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-5, 74-5, 81-5; REVISED: January, 1996; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013; REVISED: June, 2015

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>201.50 PURSUIT DRIVING POLICY</b>
	<b>Effective Date: March, 2013</b>
	<b>Approved:</b>  Chief of Police

**I. Policy Statement**

Operation of an emergency vehicle is one of the most serious duties and responsibilities of the police officer. The policy of the Mesquite Police Department is to conduct motor vehicle pursuits with the highest regard for life and property. Regardless of the purpose of a vehicular pursuit, the objectives must always be weighed against the risks, including the possibility of injury or death. When an officer believes, through knowledge and awareness of facts, that engaging in or continuing to engage in a pursuit creates an unnecessary risk, the pursuit should be terminated. The decision to pursue or to discontinue pursuit must be based on facts and potential consequences known to the officer.

With the authority to operate an emergency vehicle comes a solemn responsibility. When a pursuit exposes any person to danger beyond a reasonable societal need to arrest the offender, the officer shall immediately terminate the pursuit.

**II. Definition**

**Pursuit:** An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is trying to avoid arrest using high-speed driving or other evasive tactics or who is willfully failing to yield to the officer's signal to stop.

**III. General**

A. Patrol Supervisors shall assert control by monitoring any pursuit and taking appropriate action to ensure compliance with this policy and the safety of the public, the officers, and the violator. This provision shall not be interpreted to relieve the officer of his concurrent responsibility to comply with policy and safety.

B.

C.

D.

E. Only marked police cars equipped with siren and permanently-affixed roof-mounted emergency lights, and/or marked police cars equipped with siren and permanently-affixed interior/exterior emergency strobe lighting systems shall be utilized in a pursuit.

Unmarked police cars or civilian vehicles shall not be utilized in a vehicle pursuit.

F. If authorized by a supervisory officer, deviation from the procedures outlined in this order is authorized when immediately necessary to protect the life or safety of any person. Such deviation will be based upon careful consideration by the supervisor of all factors involved in the pursuit.

**IV. Procedures**

A. Pursuing Officer(s)

1. Any officer involved in a pursuit must constantly evaluate the need to pursue based upon factors including, but not limited to, the following:

- a)
- b)

- c)
- d)
- e)

2. The officer who first engages in a vehicle pursuit is the Primary Officer.

3. The Primary Officer shall:

- a)
- b)
- c)
- d)
- e)
- f)

4.

5.

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12.

13.

14. The firing of a firearm from a moving police vehicle is prohibited, unless immediately necessary to protect the life or safety of the officer or a third person. (See Section 213.00, Use of Non-Lethal and Lethal Force.)
  15. The firing of a firearm at a fleeing vehicle is prohibited, unless immediately necessary to protect the life or safety of the officer or a third person. (See Section 213.00, Use of Non-Lethal and Lethal Force.)
  16. Police Vehicles occupied by persons other than Mesquite Police Officers (such as prisoners, witnesses, suspects, complainants, Police Explorer Scouts, Public Safety Dispatchers, Citizen Police Academy Alumni, civilian passengers of on or off-duty officers, etc.) shall not be involved in any pursuit.
- B. Tire Deflation Devices
1. In order to quickly and safely end a pursuit, a supervisor may authorize the use of a department approved tire deflation device (Stop Sticks) under the following circumstances:
    - a) There is probable cause to believe the suspect has committed an offense justifying the arrest of the suspect.
    - b) The officer has attempted to stop the vehicle using both emergency lights and siren and reasonably believes the suspect knows the officer is attempting to stop the suspect.
    - c) The suspect fails or refuses to stop the vehicle.
  2. The safety of officers, citizens and suspects should be of the utmost concern, and careful planning and evaluation of a deployment location is essential.
    - a) The deploying officer should choose a location that has natural barriers that may provide additional protection such as overpasses and guardrails if possible.
    - b) Situations including traffic, construction, special events, schools in session, residential areas and other activities may create circumstances where the use of a tire deflation device would be inappropriate.
    - c) The deployment location should be far enough ahead of the pursuit to allow for adequate set up time and line of sight.
    - d) The deploying officer's vehicle should be positioned in such a manner to provide additional warning to the suspect and pursuing officers as well as providing additional protection for the deploying officer. All emergency lights on the deploying officer's vehicle will be activated.
    - e) The deploying officer's vehicle will not be positioned in such a manner as to block the path of the pursuit or all emergency escape paths adjacent to the device.
    - f) Prior to deployment, the deploying officer will notify the pursuing officer by radio of their location and readiness. The tire deflation device WILL NOT be deployed if this information is not received by the pursuing officer.
    - g) Suspect vehicle information should be relayed by the pursuing officer to dispatch who will relay necessary information to the deploying officer. The deploying officer should make visual target identification prior to deployment to reduce the possibility of error.
    - h) The tire deflation device will be deployed in a manner consistent with the officer's training and in accordance with the manufacturer's recommendations.
    - i) The pursuing officer will reduce his speed prior to reaching the deployment location to allow the deploying officer time to deploy and retrieve the Stop Sticks before passing through.

- j) Deploying officers will refrain from entering the roadway to retrieve any deflation device until it can be done in a safe manner after all pursuing vehicles have passed.
- 3. Tire deflation devices will not be used to stop the following vehicles without the express order to do so from a supervisory officer:
  - a) Vehicles with less than four wheels.
  - b) Vehicles transporting hazardous material.
  - c) School buses transporting passengers.
  - d) Public transportation vehicles transporting passengers.
  - e) Any vehicle that would pose an unusual hazard to innocent parties.
- 4. The deploying officer is responsible for securing the equipment after use. This includes searching the area and collecting loose spikes or debris from the deployment.
- 5. In the event the primary pursuing officer's vehicle becomes disabled as a result of striking the tire deflation device, the officer will immediately pull over and stop and the secondary unit may continue the pursuit.
- 6. Only full time sworn personnel with department recognized training will be allowed to deploy a tire deflation device.
- 7. Storage of the device
 

The tire deflation device will be mounted in the trunk area on assigned vehicles in the manufacturer's carrying sleeve in a manner ready for deployment.
- 8. Outside Agency Pursuits - The use of a tire deflation device to stop a vehicle being pursued by an outside agency will only be allowed if:
  - a) The use would fall within the guidelines of a pursuit initiated by the Mesquite Police Department.
  - b) The pursuing agency has requested and been made aware of the deployment to prevent their vehicles from hitting the device.
- 9. Repair and Replacements - If the tire deflation device is struck by any vehicle, the device is no longer fully functional and should be replaced as soon as possible. If any device is deployed, the officer deploying the deflation device will inspect the unit for damage. If the deflation device is inspected and the officer finds the unit was not struck by a vehicle and was not damaged, return the sleeved device to the tray for the next deployment situation
  - a) Any officer who deploys a tire deflation device and the device is struck by a vehicle, shall contact the property room during normal business hours for a replacement.
  - b) An officer who has a tire deflation device struck will complete a Stop Tech Ltd. "Pursuit Reporting Form" to document the use of the device. This is completed due to replacement and warranty usage.
- C. Communications Personnel
  - 1. The Public Safety Dispatcher shall broadcast information pertinent to the pursuit to other police units.
  - 2. The Public Safety Dispatcher shall immediately identify and designate the closest patrol supervisor as the Controlling Supervisor.
  - 3. The Public Safety Dispatcher shall advise pursuit vehicles of any known hazards (such as accidents, street closures, etc.) in the apparent path of the pursuit.
  - 4. The Public Safety Dispatcher shall advise a neighboring police agency of any pursuit which appears to be about to enter that jurisdiction.
  - 5. The Public Safety Dispatcher shall record the details of the pursuit in the notes field of the Incident Record.
  - 6. The shift supervisor will coordinate the Communications Center activities during a pursuit.



**D. Controlling Supervisor**

- 1.
- 2.
- 3.

**V. Conditions Under Which Pursuit Shall Be Discontinued**

- A.
- B.
- C.
- D.
- E.
- F.
- G.
- H.
- I.
- J.

**VI. Interjurisdictional Pursuits**

- A. The Mesquite Police Department is a signatory to the Interjurisdictional Pursuit Policy Agreement. Officers of the Mesquite Police Department shall abide by the provisions of that agreement unless directed to the contrary by competent authority. In case of conflict between the local policy and the Interjurisdictional Pursuit Policy Agreement, the MPD policy takes precedence. The provisions of the Interjurisdictional Pursuit Policy Agreement are as follows:
- B. Interjurisdictional Pursuit Policy Agreement
  1. General Considerations

- a) If the reason or nature of the pursuit is in conflict with an agency's pursuit policy, that agency may decline to participate in the pursuit even though their assistance has been requested.
  - b) Any agency involved in the pursuit may choose to terminate their involvement at any time the agency believes the pursuit places the lives and property of both the public and/or the officers involved at undue risk.
2. Notifications
- a) Before entering another jurisdiction, or as soon as practical, the pursuing agency will notify the other jurisdictional agency of the following information:
    - (1) A pursuit has entered or is about to enter their jurisdiction.
    - (2) The location and direction of travel.
    - (3) The primary offense for which the vehicle and occupants are wanted.
    - (4) The vehicle license number and complete description of vehicle and occupants.
    - (5) The number and description of pursuing units as well as their relative location to the vehicle being pursued.
    - (6) Whether or not assistance is needed.
  - b) As appropriate, the initial agency will notify the jurisdictional agency that the pursuit is: (1) leaving the jurisdiction, (2) has been discontinued, or (3) has ceased and of the ending location.
3. Control of the Pursuit
- 
- a)
  - b)
4. Prohibited Practices
- 
- a)
  - b)
  - c)
  - d)
  - e)
5. Responsibilities
- a) Initiating Agency
    - (1) Arrest and custody of the persons charged.
    - (2) Arraignment of arrested persons.
    - (3) Disposition of any passenger.
    - (4) Disposition of the arrested person's vehicle.
    - (5) Coordination of all reports related to the arrest, citations and criminal charges.
  - b) Agency of Primary Jurisdiction
    - (1) Reporting of any traffic collision(s) that occur as a result of a pursuit.
    - (2) As a matter of professional courtesy, a supervisor from the agency where the pursuit ceases will respond to the location to

offer immediate assistance at the scene and to determine any pertinent information regarding the pursuit.

**VII. Documentation**

- A. At the conclusion of the pursuit, the controlling supervisor shall complete a Pursuit Analysis Report (Exhibit No. 200-1).**
- B. The controlling supervisor and the Watch Commander will review all pursuit documentation and complete a Pursuit Analysis Report documenting compliance or noncompliance with departmental pursuit policy.**
- C. The Communications Shift Supervisor and any other personnel involved in a pursuit in any capacity may be required to prepare a memorandum documenting compliance or non-compliance with departmental pursuit policy.**
- D. The Bureau Commander will ensure that appropriate follow-up action is taken, and make recommendations which may improve the quality of pursuit policy and training.**
- E. The Chief of Police will designate a person or persons to annually review all pursuits. A report will be created in the form of a memorandum to the Chief of Police. The report will also attempt to identify trends and draw conclusions about the need for changes in policy, training, or equipment.**

**EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-42, C/84-42; REVISED: January, 1992; FORMERLY: 209.00; REVISED: January, 1996; REVISED: March, 1997; AMENDED July, 1997; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013**

**MESQUITE POLICE DEPARTMENT  
PURSUIT ANALYSIS REPORT**

**PURSUIT INFORMATION:**

Service Number: \_\_\_\_\_ Date of Pursuit: \_\_\_\_\_ Speed Ranges: Low: \_\_\_\_\_ High: \_\_\_\_\_

Location Pursuit Originated: \_\_\_\_\_ Time Pursuit Started: \_\_\_\_\_

Location Pursuit Ended: \_\_\_\_\_ Time Pursuit Ended: \_\_\_\_\_

Initial Violation / Reason for Pursuit: \_\_\_\_\_

Was Pursuit Terminated ☐ Yes ☐ No

If Yes, by ☐ Primary Officer ☐ Controlling Supervisor ☐ W/C

Reason Terminated: \_\_\_\_\_

**OFFICERS INVOLVED**      **UNIT #**      **TIME**      **LOCATION ENTERED PURSUIT**

Primary Officer: \_\_\_\_\_

Secondary Officer: \_\_\_\_\_

Controlling Supervisor: \_\_\_\_\_

Support Unit: \_\_\_\_\_

Support Unit: \_\_\_\_\_

Other Agencies Involved: \_\_\_\_\_

Watch Commander On-Duty: \_\_\_\_\_

**SUSPECT INFORMATION**

Driver's Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Driver Arrested: ☐ Yes ☐ No  
If yes, by: ☐ MPD ☐ Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

**ADDITIONAL SUSPECT INFORMATION**

Suspect #2 Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Suspect Arrested: ☐ Yes ☐ No  
If yes, by: ☐ MPD ☐ Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

Suspect #3 Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Suspect Arrested: ☐ Yes ☐ No  
If yes, by: ☐ MPD ☐ Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

**VEHICLE INFORMATION**

Suspect Vehicle: Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ License Plate: \_\_\_\_\_

Impounded: ☐ Yes ☐ No      Impound Location: \_\_\_\_\_

**ACCIDENT / DAMAGE INFORMATION**Was an Accident Involved in the Pursuit: ☐ Yes ☐ No



Location: \_\_\_\_\_

What Agency Worked the Accident: \_\_\_\_\_

Service Number: \_\_\_\_\_

Damage to City Vehicle(s): ☐ Yes ☐ No Unit #(s): \_\_\_\_\_Damage to Suspect Vehicle: ☐ Yes ☐ NoDamage to Non-Involved Vehicle(s) / Property: ☐ Yes ☐ No**INJURY INFORMATION**Officers Injured: ☐ Yes ☐ No Name(s): \_\_\_\_\_Hospitalized: ☐ Yes ☐ No If yes, Where: \_\_\_\_\_Suspect(s) Injured: ☐ Yes ☐ No Name(s): \_\_\_\_\_Hospitalized: ☐ Yes ☐ No If yes, Where: \_\_\_\_\_Non-Involved Person Injured: ☐ Yes ☐ No Name(s): \_\_\_\_\_Hospitalized: ☐ Yes ☐ No If yes, Where: \_\_\_\_\_**WEATHER CONDITIONS:** ☐ Clear ☐ Cloudy ☐ Rain ☐ Snow ☐ Ice ☐ Fog**LIGHTING CONDITIONS:** ☐ Dawn ☐ Daylight ☐ Dusk ☐ Darkness**ATTACH COPIES OF CALL SHEET AND ARREST REPORT(S), IF SUSPECT(S) ARRESTED.**\_\_\_\_\_  
Primary Officer Date☐ Yes ☐ No This pursuit complied with department policy.\_\_\_\_\_  
Controlling Supervisor Date☐ Yes ☐ No This pursuit complied with department policy.\_\_\_\_\_  
Watch Commander Date☐ Yes ☐ No This pursuit complied with department policy.\_\_\_\_\_  
Bureau Commander Date☐ Yes ☐ No This pursuit complied with department policy.\_\_\_\_\_  
Asst. Chief of Police Date\_\_\_\_\_  
Chief of Police Date



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>202.00 SEVERE WEATHER WATCH PROCEDURES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Departmental Notifications**

- A. The Watch Commander shall maintain a continual review and analysis of conditions to determine if severe weather is likely to affect the city. Any employee of the department who receives information of possible severe weather in the area shall ensure the ranking officer is made aware of the situation.
- B. Where weather conditions are such that widespread damage results or is likely, the Watch Commander shall ensure the Operations Bureau Commander is notified.
- C. The Watch Commander shall recall off-duty personnel as required.
- D. The Mobile Command Post coach may be utilized as an alternate communications center or command post, as required.
- E. The Communications Lieutenant, the Technical Services Bureau Commander, the Assistant Chief of Police, or the Chief of Police shall be notified if the Radio Amateur Civil Emergency Service (R.A.C.E.S.) center is activated.
- F. An Assistant Chief of Police or the Chief of Police shall be notified should flooding conditions occur.

**II. Citizen Notifications**

- A. If the situation appears to warrant the notification of citizens, the Watch Commander shall coordinate activities with ranking on-duty Fire Department personnel.
- B. The Watch Commander shall have the authority to initiate the citizen notification system as appropriate. Methods of citizen notification include the following:
  - 1. Activation of outdoor warning sirens.
  - 2. Utilization of cable television voice override system.
  - 3. Activation of the North Central Texas Emergency Alert System (EAS).
  - 4. Utilization of sirens and public address systems of mobile units.
  - 5. Utilization of KEOM radio for additional warning coverage.



EFFECTIVE: May, 1984; REVISED: September, 1990, FORMERLY: C/84-10, 75-10; REVISED: March, 1997; REVISED: July, 2000; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>203.00 ATTENTION TO DUTY</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b>  <div style="text-align: center;">Chief of Police</div>

- I. **Geographical Area of Responsibility**
  - A. Employees of the Police Department who are assigned to a geographical area of responsibility during a tour of duty will be held accountable for activities of a police nature which occur within that area during that tour of duty.
  - B. Officers shall remain within their assigned geographical area of responsibility except:
    1. When required by police duties to leave that area.
    2. When authorized by a supervisory officer to leave that area.
    3. For scheduled lunch breaks.
- II. **Attention to Duties**
  - A. Personnel on duty or in uniform shall refrain from activities which might interfere with their attention to duties, which might reasonably be interpreted to indicate an inattention to their responsibilities, or which might cause members of the public or other police personnel to reasonably question their attention to duties. Such activities might include, but not limited to:
    1. Non-duty-related television or video viewing;
    2. Non-duty-related reading;
    3. Non-duty-related computer use;
    4. Video, computer, card, or other games;
    5. Extended personal conversations or visits;
    6. Sleeping, napping, or resting with eyes closed; or
    7. Remaining immobile for a significant period of time.
  - B. An exception to the provisions of Section II.A. might apply where the employee is on an authorized break and is away from public view.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C84/16, 75-16; REVISED: July, 2000; FORMERLY: 203.00; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>204.00 DELIVERY OF DEATH MESSAGES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">           Chief of Police       </div>

**I. Communication Center Responsibilities**

- A. A person or agency requesting police service shall be asked for information that will identify their relationship to the deceased. Information regarding the physical condition of the person or persons to receive the death message should be obtained if possible. A person with high blood pressure, heart trouble, etc., may need a relative, close friend, or a doctor present when they are informed of the death. In many cases, the caller may be able to furnish the name of a relative living in the general area. If a relative or a close friend can travel to Mesquite without an unnecessary delay, the officer may judge it better to delay the notification until the relative or friend arrives.
- B. A teletype from the local police agency verifying the death shall be required before notification is made.
- C. Communications Center personnel shall record all pertinent information on the call record. Routine dispatch procedures will be changed. The officer to be assigned the call will be given the information via telephone or MDC, at which time he will be given all information regarding the service request and a location to meet with a minister will be determined. The Public Safety Dispatcher will then attempt to contact a minister from the Mesquite Ministers Association Counseling List, which is kept in the Communications Center. The minister will be advised by telephone of the death message and will be asked to meet an officer at a predetermined time and location. There, the minister and officer may discuss the assignment before proceeding to the address.


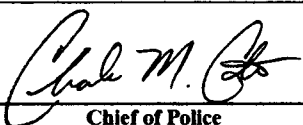
**II. Officer's Responsibilities**

- A. The statement of fact regarding the death is the officer's responsibility. After this has been done, the minister will offer assurance and comfort and may also assist them in the notification of their own minister, relatives, etc. He may also choose to remain at the location after the officer has departed.  
If no minister or designated alternate is available from the list provided by the Mesquite Ministers Association, the officer will then proceed to the address and notify the family himself. It is preferable to have two officers respond for notification if no minister is available.
- B. On arrival, the officer should use discretion when deciding to contact a neighbor who may provide facts regarding the physical condition of the person or persons to be informed of the death. This information may be important in organizing and formulating a plan of action. If a close friend or neighbor wishes to accompany the officer, the officer should give the request due consideration.
- C. Confronting the person to whom a death message is delivered is demanding and difficult for most police officers. As a general rule the following policy should satisfy the needs of all persons concerned:
  - 1. Greet and introduce yourself, the minister and others who may be with you, and ask permission to visit inside the home. If there are young children present, ask that they leave the room before proceeding.
  - 2. Next, request the person to sit down. The person will probably know by this time you have grave news. Then with genuine sincerity, tell them, "It is with deep regret that I have to inform you that (Name of Deceased) has died or has been

killed." Or you may say, "I'm very sorry to have to tell you that (Name of Deceased) has died or has been killed."

3. Before leaving, the officer should extend an offer of police assistance and grant any reasonable request. If none, the officer should excuse himself and leave.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-21, 76-21; REVISED: January, 1992; REVISED: January, 1996; REVISED: August, 2003; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>205.00 HANDLING OF MENTALLY ILL PERSONS</b>
	<b>Effective Date: December, 2016</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>

- I. Definitions
  - A. Mental Illness - An illness, disease, or condition which either:
    1. substantially impairs the person's thought, perception of reality, emotional process, or judgment; or
    2. grossly impairs behavior as manifested by recent disturbed behavior.
  - B. Mentally Ill Person - A person who is suffering from the mental conditions described above. The term does not include one who suffers from epilepsy, senility, alcoholism or mental deficiency.
- II. Methods of Acquiring Diagnosis and Treatment
 

Persons believed to suffer from a mental illness may receive diagnosis and treatment through one of several procedures. The facts of each case must be evaluated individually in order to determine an appropriate course of action. Methods of acquiring diagnosis and treatment include:

  - A. Self-initiated voluntary admission to a treatment facility.
  - B. Magistrate's Order for Emergency Apprehension and Detention (or Mental Illness Warrant):
    1. based on application of a peace officer, or
    2. based on application of a family member or other credible adult citizen.
  - C. Emergency Detention based on Apprehension by a Peace Officer without Warrant.
- III. Self-Initiated Voluntary Admission
  - A. If the subject does not appear to evidence a substantial risk of serious harm to himself or others unless immediately restrained, self-initiated voluntary admission may be the only available method of obtaining treatment for the individual.
  - B. Where the best interests of the community and/or of the individual require it, a supervisor may approve police transportation of an individual to an approved local inpatient mental health facility for voluntary self-admission. Such transportation will not constitute an apprehension or an arrest, unless criminal charges exist.
- IV. Magistrate's Order for Emergency Apprehension and Detention (or Mental Illness Warrant)
  - A. Where the subject appears to evidence a substantial risk of serious harm to himself or others, but is not conducting himself in a violent or threatening manner in the presence of the officer, an application for a Magistrate's Order for Emergency Detention would be appropriate.
    1. Such application may be made to any magistrate by:
      - a) a peace officer, or
      - b) any credible adult person.
    2. Such application must set out, in affidavit form:
      - a) the applicant has reason to believe and does believe, the person evidences mental illness;
      - b) the applicant has reason to believe, and does believe, the person evidences a substantial risk of serious harm to himself or others, which risk of harm shall be specified and described;
      - c) the applicant has reason to believe, and does believe, the risk of harm is imminent unless the person is immediately restrained;

- d) the applicant's beliefs are based on specific recent behavior, overt acts, attempts, or threats, which behavior, acts, attempts or threats shall be described in specific detail; and
      - e) the relationship, if any, of the applicant to the person sought to be detained.
    - 3. The application may be accompanied by any relevant information.
    - 4. The application shall be presented personally to the magistrate, who shall examine it and may interview the applicant.
    - 5. The magistrate shall deny the application unless he finds there is reasonable cause to believe:
      - a) the person evidences mental illness;
      - b) the person evidences a substantial risk of serious harm to himself or others;
      - c) the risk of harm is imminent unless the person is immediately restrained; and
      - d) that necessary restraint cannot be accomplished without emergency detention.
  - B. Upon apprehension of a person based on a Magistrate's Order, that person shall be transported to an approved inpatient mental health facility, or other facility named in the order. Such person shall not be placed in jail.
  - C. Where possible, family members or other persons familiar with the person's state of mind should be referred to the Psychiatric Emergency Room, in order to better acquaint the examining psychiatrist with the person's history.
  - D. Upon completion of the person's admission, an Information report containing details of the emergency apprehension shall be completed.
- V. Apprehension by Peace Officer Without Warrant
- A. An officer who has probable cause, based on the observed conduct of a person or the circumstances under which the person is found, that:
    - 1. the person is mentally ill, and
    - 2. because of such illness represents a substantial risk of serious harm to himself or others unless immediately restrained, and
    - 3. there is not sufficient time to obtain a warrant, may, with supervisory approval, take that person into custody without warrant and immediately transport him to an approved inpatient mental health facility.
  - B. The apprehending officer must have personally witnessed the conduct or circumstances which justify the emergency detention. Where no such conduct or circumstances are witnessed by the officer, but are alleged by a credible witness, a supervisor may authorize the arrest based on the information available or request that a Mental Illness Warrant be sought, based on the affidavit of that witness.
  - C. The broad authority which this provision appears to grant to a peace officer, coupled with the overriding judicial trend against warrantless restraint of an individual's liberty, should raise serious concerns in the mind of the officer considering the use of this statute. It is recommended that great care and restraint be exercised in the decision to apprehend, without warrant, a person believed to be mentally ill.
  - D. A person apprehended under this section shall not be placed in jail except in an extreme emergency, and shall be kept separate from persons charged with a crime.
  - E. Upon arrival at an approved inpatient mental health facility, the officer shall complete an Application To Facility For Emergency Detention Without A Warrant And Acceptance For Preliminary Examination. A supply of the application forms will be available at the facility (see Exhibit No. 200-2). The application shall contain the following information:

1. The officer has reason to believe, and does believe, the person evidences mental illness.
  2. The officer has reason to believe, and does believe, the person evidences a substantial risk of serious harm to himself or others, which risk of harm shall be specified and described.
  3. The officer has reason to believe, and does believe, the risk of harm is imminent unless the person is immediately restrained.
  4. The officer's beliefs are based on specific recent behavior, overt acts, attempts or threats, observed by the officer, which behavior, acts, attempts or threats shall be described in specific detail; and
  5. The names and relationships to the person, if any, of any other credible persons reporting or observing such recent behavior, acts, attempts, or threats.
- F. Where possible, family members or other persons familiar with the person's state of mind should be referred to the Psychiatric Emergency Room, in order to better acquaint the examining psychiatrist with the person's history.
- G. If the person is not admitted after a preliminary examination, the Mesquite Police Department may be required to arrange for the return of the person to the location of his apprehension, or to his place of residence or other suitable place (unless he is arrested or objects to the return).
- H. If the person is admitted, an Information report containing details of the apprehension without a warrant shall be completed.
- I. A list of approved inpatient mental health facilities will be maintained by the Chief's appointed designee in the Watch Commander's office.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-22, 76-22; REVISED: January, 1996; REVISED: August, 2011; REVISED: March, 2013; REVISED: December, 2016

Emergency Detention No. \_\_\_\_\_

THE STATE OF TEXAS  
FOR THE BEST INTEREST AND PROTECTION OF:

\_\_\_\_\_

NOTIFICATION OF EMERGENCY DETENTION



Now comes \_\_\_\_\_, a Peace Officer with Mesquite Police Department,

1. I have reason to believe and do believe that (name of person to be detained) \_\_\_\_\_ evidences mental illness.
2. I have reason to believe and do believe that the above-named person evidences a substantial risk of serious harm to himself/herself or others based upon the following:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. I have reason to believe and do believe that the above risk of harm is imminent unless the above-named person is immediately restrained.
4. My beliefs are based upon the following recent behavior, overt acts, attempts, statements or threats observed by me or reliably reported to me:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. The names, addresses and relationship to the above-named person of those persons who reported or observed recent behavior, acts, attempts, statements or threats of the above-named person are (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For the above reasons, I present this notification to seek temporary admission to the (name of facility) \_\_\_\_\_ inpatient mental health facility or hospital facility for the detention of (name of person to be detained) \_\_\_\_\_ on an emergency basis.

**Exhibit No. 200-2 Apprehension by Peace Officer without Warrant**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>206.00 VEHICLE IMPOUNDMENTS</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Vehicles may be impounded for the following reasons:
  - A. Evidence in or instruments of crime.  
Examples: stolen vehicles; vehicles used to transport controlled substances; etc.
  - B. Abandoned Vehicles.  
Vehicles classified as abandoned by the Texas Transportation Code Chapter 683.002. It is not the policy of the Mesquite Police Department to impound abandoned vehicles from private property.
  - C. Vehicles in violation of section 9-187 of the Mesquite City Code.  
A vehicle which is not in currently operable condition and a state of good repair, as defined by Section 9-187 of the Mesquite City Code; may be impounded and the owner cited to Municipal Court, after it has remained parked unattended on a public street for a continuous period of more than forty-eight hours. The officer shall attempt a personal contact with the owner, prior to impoundment of a vehicle parked in violation of this section in a residential area.
  - D. Vehicles in violation of another law or ordinance.  
The policy of the Mesquite Police Department is to impound vehicles parked in violation of law or ordinance only after the owner or operator has been given a reasonable opportunity to remove it, or bring it into compliance. Immediate impoundment is an option only when the vehicle is a traffic hazard or substantial impediment to the flow of traffic.
  - E. Impoundment of vehicle without proof of financial responsibility-insurance.  
Vehicles that are operated in violation of the Texas Transportation Code 601.051, Requirement of Financial Responsibility, may be impounded. Vehicles impounded under this section will not be released until proof of financial responsibility is provided. When an officer elects to impound a vehicle under this section, an inherent responsibility remains to ensure that all occupants of the vehicle are left in a safe location. Officers are not mandated to impound vehicles operated in violation of Texas Transportation Code 601.051, reasonable discretion is allowed. When the operator of a vehicle claims that they have insurance but cannot provide proof, officers should make a reasonable effort to determine if the vehicle is insured. Insurance verification steps may include but are not limited to:
    - a. Texas Sure/ FRVP (Financial Responsibility Verification Program) via TLETS.
    - b. Contacting the operator's insurance company.
    - c. Contacting the operator's insurance agent.
    - d. Contacting the vehicle lien holder.
    - e. Contacting a parent or guardian in the case of a minor.
  - F. Vehicles involved in Accidents.
    1. Vehicles in roadway.  
A vehicle, which remains in a roadway following a motor vehicle accident, and which cannot be safely operated or moved from the roadway, must be towed from the scene by the city contract wrecker service. The operator or owner will be allowed to negotiate with the wrecker operator for removal to a location other than the city pound. If they reach such agreement, no impoundment form shall be

completed. If the vehicle goes to the city pound, an impoundment form shall be completed and the fee schedule, as prescribed by ordinance, shall prevail (see Exhibit No. 200-3).

2. Vehicles off the roadway.

- a. A vehicle which is off the roadway following a motor vehicle accident is the responsibility of the operator or owner. If the operator or owner consents, the vehicle may be impounded. If the operator or owner prefers to arrange removal privately, he will be allowed to do so.\*

Police personnel may relay a personal wrecker request to a private wrecker company if the operator or owner knows the telephone number. Communications personnel are not required to look up phone numbers for wrecker companies, but may do so if workload permits. If the operator or owner requests the police department to call a wrecker but does not want the vehicle impounded, the person making the call shall clearly indicate to the wrecker company (whether city contract wrecker or wrecker designated by the individual) that the call is a personal request by the individual. The police officer at the scene shall take care to explain all available options to the operator or owner, in order that he may make an informed decision.

- b. If neither the operator nor owner of a vehicle involved in an accident is capable of transacting business (due to intoxication, injury, or absence from the scene or other causes) the vehicle shall be impounded.

- c. When a vehicle involved is operated in violation of Texas Transportation Code 601.051, Requirement of Financial Responsibility, the vehicle may be impounded and a hold placed on the vehicle until proof of financial responsibility is provided.

\*Exception: Per Section 8-777(b) of the Mesquite City Code, a vehicle which must be removed by a heavy-duty wrecker shall be removed by the city contract wrecker service, unless the individual or company which owns the disabled vehicle uses a wrecker owned by the same individual or company.

G. Vehicles from which the operator is taken into custody.

When the operator of a motor vehicle is taken into custody, the arrestee generally will have three options, provided that he is capable of transacting business. (Examples of a person who would be considered incapable of transacting business would include intoxicated individuals, or persons under the age of seventeen who are not licensed drivers.) The options generally available to the arrestee will include:

1. The arrestee may release the vehicle to a passenger or companion, provided the vehicle can be safely operated and the person is legally qualified to drive.
2. The arrestee may leave the vehicle where it is, provided the vehicle will not be left in violation of the law. If the arrestee elects to leave the vehicle where it is parked, the arresting officer shall take all reasonable steps to secure the vehicle, by rolling up the windows and locking the doors. Upon reaching the book-in room, the arrestee will be asked to sign a release of liability for the vehicle. (A signed release will not generally be requested at the scene of the arrest due to safety considerations, as the arrestee will normally be handcuffed.) Should the arrestee refuse to sign the release, the arresting officer shall note on the arrest report that the arrestee stated verbally that he wanted his vehicle left at the arrest scene, and further note that the arrestee refused to sign the release.
3. The vehicle may be impounded.
4. When an arrestee is operating the vehicle in violation of Texas Transportation Code 601.051, Requirement of Financial Responsibility, and the vehicle may be

impounded and a hold placed on the vehicle until proof of financial responsibility is provided.

H. Impoundment at the direction of a supervisory officer.

In situations not covered in sections A through F, a vehicle may be impounded at the direction of a supervisory officer. Criteria for such a decision by a supervisory officer would include the necessity for impoundment for the safety of the general public, or the protection of the property of any person. Justification for such action shall be recorded on the impoundment sheet. Examples: Operator suffers heart attack and is transported to the hospital; Operator died and impoundment is necessary for the protection of the deceased's estate.

I. Impoundment from private property.

The general policy of the police department is not to impound a vehicle from private property. An exception to the policy would be where the operator is taken into custody, and leaving of the vehicle would cause an imposition to the property owner. In that case, the police department would accept responsibility of impound. For example, a vehicle parked in the driveway of a service station, in a hospital loading/unloading zone, private driveway of a stranger, etc. Another exception would be where the operator is taken into custody and the vehicle would otherwise be left in violation of the law, such as a truck of two tons in a non-industrial area, or a vehicle in a fire lane.

II. Dispatch Procedures.

A. Designation.

1. All requests for a wrecker made by dispatch personnel will be designated as either "standard" or "priority" by the public safety dispatcher.
2. A police department supervisor may designate any call, other than those mandated by section D (1) as a "priority tow", in which event the procedures outlined below shall be followed.

B. Standard Tows.

A standard wrecker call shall require the contractor to respond to the scene within thirty minutes of notification. Such notification is to be rendered to the contractor at a single telephone number to be designated by the contractor or over the police wrecker radio frequency. The wrecker operator shall confirm notification (and indicate that they are en route) via telephone or over the police wrecker radio frequency within ten minutes from receipt of notification.

C. Priority Tows.

A priority wrecker call shall require the contractor to respond to the scene within twenty minutes of notification. Such notification is to be rendered to the contractor at a single telephone number to be designated by the contractor or over the police wrecker radio frequency. The operator shall confirm notification (and indicate that they are en route) via telephone or with the public safety dispatcher over the police wrecker radio frequency within ten minutes from receipt of notification. The public safety dispatcher will log the wrecker's en route time into the call notes. For all priority wrecker requests, the public safety dispatcher will immediately dispatch another city contract wrecker if the initial notification is not confirmed by the initial wrecker service within ten minutes.

D. Priority Tow Procedures.

1. Dispatch personnel shall designate calls regarding accidents, stalled vehicles, cargo spillage or other potentially traffic impeding events received Monday through Friday between the hours of 0600 and 0900 and 1600 and 1900 on the following highways as "priority tows":
  - a. IH 635
  - b. IH 30 (Hwy 67)
  - c. IH 20
  - d. Hwy 80

III. Vehicle Inventory

The contents of each impounded vehicle shall be completely inventoried prior to towing or otherwise removing such vehicle from the place of impoundment. The inventory shall include all items of value, whether contents or readily-removable parts, in the passenger compartment, cargo compartment, storage compartments, mechanical compartments, and any closed container which can be opened without damage, or any other area of the vehicle. The inventory shall be recorded on the impoundment sheet.

IV. Vehicle Holds

A. A vehicle may be placed in a "Hold" status by the impounding officer, based on probable cause that:

1. the vehicle is stolen and ownership cannot be readily established;
2. the vehicle is evidence in a crime;
3. the vehicle is subject to legally-authorized confiscation; or
4. at the direction of a supervisory officer.

B. The officer initiating a hold is responsible for notifying the appropriate investigator, or for otherwise resolving the hold within one business day of the impoundment.

C. Impound sheets with a "hold" status shall be promptly identified, and a copy of the "hold" impound shall be forwarded to the Operations Bureau Commander, to the Technical Services Bureau Commander, and to the Investigations Bureau Commander.

D. A vehicle will automatically be dropped from "hold" status after 72 hours. Any exception to this provision shall require written approval of a Bureau Commander.

V. Due Process

The owner or operator of an impounded vehicle is entitled to a hearing to establish whether the impoundment of the vehicle was reasonable. Upon request of the owner or operator, such hearing will be scheduled by contacting the Municipal Court for a hearing date. The impounding officer will be required to justify the impoundment before a Municipal Hearing Officer.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-24, C/85-24; REVISED: January, 1996; REVISED: October 1999; REVISED: October, 2006; REVISED: August, 2011

MESQUITE POLICE DEPARTMENT IMPOUNDED VEHICLE REPORT									
	IMPOUND #		Hold For: By:		ID#	DATE:	72 HR LIMIT* - Reason for hold:		
	SERVICE #		Hold Rel'd By:		ID#	DATE:			
	DATE: TIME:		Hold Extended:		ID#	DATE:			
HOLD MUST BE EXTENDED BY BUREAU COMMANDER *Provide copies to Bureau Commander (OPS, TEC-SVC, C.I.D.) & Auto Pound Officer.									
STREET ADDRESS:			CITY:			STATE:		ZIP:	
YEAR:		MAKE:		MODEL:		COLOR:		BODY STYLE:	
LICENSE PLATE:			YEAR:		STATE:		VEHICLE MILEAGE:		
VIN NUMBER:					(Place Hold for citation) CITATION NO:				
REASON IMPOUNDED			VEHICLE CONDITION			DAMAGE - DESCRIBE		COMMUNICATIONS USE ONLY	
<input type="checkbox"/> ARREST			<input type="checkbox"/> DRIVEABLE					Stored Abandoned <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> ACCIDENT			<input type="checkbox"/> UNKNOWN					Date Entered:	
<input type="checkbox"/> ABANDONED			<input type="checkbox"/> WRECKED					Entered By:	
<input type="checkbox"/> PARKING VIOLATION			<input type="checkbox"/> BURNED					Cleared Abandoned <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> STOLEN**			<input type="checkbox"/> STRIPPED					Date Cleared:	
**AGENCY STOLEN FROM:					Checked NCIC: <input type="checkbox"/> Yes <input type="checkbox"/> No		Cleared by:		
PASSENGER COMPARTMENT CONTENTS					TRUNK / CARGO AREA / PICKUP BED ETC				
<input type="checkbox"/> GLOVE BOX			<input type="checkbox"/> # OF KEYS			<input type="checkbox"/> SPARE TIRE			
<input type="checkbox"/> CONSOLE			<input type="checkbox"/> TAPE / CD DECK			<input type="checkbox"/> TOOL BOX			
<input type="checkbox"/> UNDER FRONT SEAT			<input type="checkbox"/> CB / HAM RADIO			<input type="checkbox"/> LIST OTHER ITEMS			
<input type="checkbox"/> UNDER REAR SEAT			<input type="checkbox"/> TOOLS						
<input type="checkbox"/> CLOTHES			<input type="checkbox"/> OTHER, DESCRIBE						
Inventory Conducted By: <input type="checkbox"/> Impounding Officer <input type="checkbox"/> Other:					Items placed in: <input type="checkbox"/> Property Room <input type="checkbox"/> Release to owner <input type="checkbox"/> Other:				
Items Removed From Vehicle By:					ID#		List Items:		
DRIVER INFORMATION <input type="checkbox"/> No Driver					OWNER INFORMATION <input type="checkbox"/> Same as Driver				
Name:			Sex:		Race:		Name:		
Address:			DOB:			Address:			
City:			State:		Zip:		City: State: Zip:		
Phone: ( )			Charges:			Phone: ( )		Notified By: <input type="checkbox"/> I.O. <input type="checkbox"/> Other:	
Impounded By:			I.D.		Arrest Off:		ID:		Lien Holder:
Imp. Svc. Verified By: <input type="checkbox"/> I.O. <input type="checkbox"/> Other:			Entered By:		ID:		Address:		
DISPATCH TIME:			ARRIVAL TIME:			City:		State: Zip:	
Location	<input type="checkbox"/> Hester's Wrecker Service 1341 Tripp Rd. Mesquite, TX 75150 (972) 288-9385 VSF: 0000891					<input type="checkbox"/> Property Room			
	<input type="checkbox"/> McIntyre Wrecker Service 4515 Hwy 80 Mesquite, TX 75150 (972) 613-9914 VSF: 0577348					<input type="checkbox"/> Seizure Lot			
	<input type="checkbox"/> Wisdom Paint & Body 1422 Hwy 80 Mesquite, TX 75149 (972) 288-0551 VSF: 0000703					<input type="checkbox"/> Other:			
CONTACT WRECKER SERVICE FOR FEES (Excludes Sales Tax) WRECKER DRIVER <input checked="" type="checkbox"/>									
\$50.00 - Standard Tow <input type="checkbox"/> Priority Pickup			\$		Heavy Duty \$100/Hr. \$100 Min.		\$		
\$32.00 - Notification Fee			\$		Additional Wreckers		\$		
\$20.00 - Dolly/Tik Bed Use			\$		Other Equipment (Describe)		\$		
\$50.00 - Motorcycle Required Trailer			\$		Other Equipment Charge		\$		
Labor @ \$35/HR (Prorated 15 min. increments)			\$		Labor @ \$125.00/Hr. Prorated		\$		
Describe Labor					Describe Labor				
Pick up outside city within one (1) mile			-No Additional Charge-		Other Labor Charge		\$		
Pick up outside city over one (1) mile			\$		\$32.00 Notification Fee		\$		
\$1.00 per mile round trip			\$		\$15.00 Daily Storage Fee x <input type="checkbox"/> days		\$		
\$15.00 Daily Storage Fee x <input type="checkbox"/> days			\$		(Per Tractor, Trailer or Bobtail)		\$		
\$10.00 Impoundment Fee			\$		\$10.00 Impoundment Fee		\$		
TOTAL CHARGES			\$		TOTAL CHARGES:		\$		
Vehicle Released By:					ID#		Date:		Time:
Signature of Person Gaining Vehicle: X							ST:		DL#
Printed Name of Person:					Street Address:				
City:		State:		Zip:		Phone: ( )			
Impound No:		Date Letter Sent:		Date Cleared:		By:			



DISTRIBUTION: YELLOW to Wrecker Driver WHITE to Desk Officer (Vehicles are released at the Storage Facility) (Rev. 05/2003)

Exhibit No. 200-3 Impoundment Form

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>207.00 JUVENILE GUIDELINES AND POLICIES</b>
	<b>Effective Date: March, 2013</b>
	Approved:  Chief of Police

**I. Policy Statement**

The Mesquite Police Department strives to provide a safe community for all of our citizens, adults and juveniles. This General Order should serve as an educational tool as well as a guide to the steps employees should follow when confronted with the commission of unlawful acts by children.

**II. Definitions**

- A. Refer to the Texas Family Code for definitions of these terms: child, parent, guardian, custodian, traffic offense, non-offender, status offender, etc.
- B. Refer to the Texas Family Code for definitions of Delinquent Conduct and Conduct Indicating a Need for Supervision (C.I.N.S.).

**III. Procedures**

**A. Handling Juvenile Criminal Offenses**

- 1. Juveniles will be afforded all rights and protections afforded by Federal, State, County and Municipal Laws.
- 2. The Mesquite Police Department does not issue warning notices. Juveniles will be handled in accordance with the following sections:

**B. Class C Misdemeanor Offenses**

- 

**C. Runaway**

- 1. Officers are encouraged to check for runaway status on all juveniles contacted in the field, especially if contacted late at night or under suspicious circumstances. If the juvenile is found to be a runaway, take the juvenile into custody and transport to MPD. The charge would be "C.I.N.S. - Runaway." A case report is not required, but complete a Juvenile Charging Information Sheet.
- 2. When taking a report on a runaway, remember that our department only has jurisdiction over juveniles that live in our city. For example, if a juvenile runs away while at Town East Mall, but lives in Sunnyvale, the parent should be referred to DSO and no report taken by MPD.
- 3. A juvenile taken into custody for runaway may be:

- a) Released to a responsible adult - Use the Juvenile Release Agreement.
- b) Transported to Letot - Runaways should be transported to Letot when no responsible adult is available, if special circumstances exist, or if the runaway is a habitual offender (third or subsequent report). Take one copy of the arrest report with you to submit to intake personnel. Be sure to call the Juvenile Detention Center first, to ensure that they do not have a "hold" on the juvenile, or if the juvenile is not currently on probation. If the Juvenile Detention Center has a "hold" on the juvenile, or the juvenile is currently on probation, follow the instructions listed in section III (E. 2. b) of this General Order, and transport the juvenile to Juvenile Detention Center.

**D. Truancy**

1.

2.

3.

4.

**E. Class B Misdemeanor and Higher Offenses**

1.

2.

**F. Offenses involving Children less than ten years old**

Use the standard MPD offense report to document the incident. If no parent or other responsible adult is available to take custody of the child, the child may be taken into protective custody if necessary. The child may be released to a parent or guardian using the Juvenile Release Agreement block "C".

**G. Detention Locations and Release Procedures**

- 1. Refer to the Texas Family Code
- 2. A juvenile taken into custody may only be transported to one of four places:
  - a) The Mesquite Police Department,
  - b) The Juvenile Detention Center or Letot,
  - c) A Medical Facility for emergency care, or
  - d) To a parent, guardian, or responsible adult for release



3. Initially transporting a juvenile to any other location is prohibited by law and will result in the loss of evidence or possibly the entire case. As long as the Juvenile is transported to one of these locations first, they may then be transported to recover stolen property, to a crime scene, for witness identification, etc.
4. A Juvenile may only be released to a parent, guardian, or responsible adult. Officers must use their discretion and consider the age of the juvenile, the type of offense committed, and the relationship of the juvenile to the adult.
5. Juveniles who are taken into custody by other law enforcement agencies must be transported to detention centers, runaway shelters, etc. by the arresting agency, in accordance with the Family Code.

IV. Juvenile Processing

A. The Family Code establishes three types of custody for juveniles. They are as follows:

- 1.
- 2.
- 3.

B. Non-Secure Custody Room

- 1.
- 2.

C. Secure Custody Area

1. All juveniles who are taken into custody for violations that require secure custody will be brought to the juvenile processing area located in the detention sally port.

D. Transporting the Juvenile

1. The decision to take a juvenile into custody shall be based upon probable cause, reasonable suspicion, seriousness of the crime, complainants decision to pursue charges, or if the juvenile needs to be detained for a Conduct Indicating Need of Supervision provision (CINS).
2. Juveniles taken into custody should be searched according to current departmental policy.
3. Prior to being transported, the arresting officer shall notify dispatch that they have a juvenile in-custody and that they are en-route to the approved location.
4. The officer will give their beginning and ending vehicle mileage to the dispatcher. This must be done over the radio, which is recorded and logged-in by the dispatcher.
5. All juvenile transports shall be recorded by the patrol car's in-car video system. Juveniles placed in patrol cars shall be monitored by audio and visual means at all times.
6. Juveniles in custody may not be transported in the same vehicle as adults.

7. Juveniles in custody will be handcuffed for transport. Other departmentally approved restraint devices may be used that are applicable to the situation and the safety of the juvenile.

8. Children requiring child safety seats will be transported according to current law.

E. **Booking Procedure** - The arresting officer is responsible for the juvenile prisoner until the juvenile is accepted for detention by the Desk Officer or Detention personnel. The arresting officer is also responsible for making arrangements to have juveniles transported to other juvenile facilities (Detention, Letot, etc.). A Juvenile may be transferred to the appropriate custody area after book-in is complete. Juvenile arrests must be approved by a supervisor prior to acceptance by the Desk Officer or Detention personnel. Officers must furnish the Desk Officer with a copy of the juvenile's arrest reports. All juvenile records shall be kept separate from adult records and in accordance with Mesquite Police General Orders.

F. **Notification of Parents** - The arresting officer should notify parents or guardians as soon as possible. A note of who was contacted, when contacted, and expected arrival time will be supplied to the Desk Officer or Detention personnel. Should the person not arrive as expected, the Desk Officer or Detention personnel will notify the Watch Commander.

G. **Other Guidelines** - All juveniles must be searched and all their property inventoried and bagged prior to being placed in the appropriate custody area. The Desk Officer or Detention personnel will be responsible for security of the inventoried property. When a Juvenile Holding Room is occupied, the light must be on and the door closed. Juveniles will be separated by sight and sound from adult prisoners.

H. **Adult Prisoners** - No adult prisoners will be held in any Juvenile Holding Room at any time.

I. It is the policy of the Mesquite Police Department to hold juveniles in the appropriate holding room for as brief a period as possible and for never more than six hours.

J. It is the responsibility of the arresting officer to notify the on-duty Station Sergeant whenever a juvenile is taken into custody and placed in a secure or non-secure holding area.

K. It is the responsibility of the on-duty Station Sergeant to ensure the proper documentation of all juveniles placed in secure or non-secure custody during their shift. Documentation will be in accordance with the provisions of the Juvenile Justice and Delinquency Prevention Act.

V. **Arrest at School**

A.

B.

C.

D. The Texas Family Code restricts the release of names of juvenile offenders to the school district. A CID secretary will handle the routine release of arrest information to school districts.

E. Officers may remove a student from school pursuant to the laws of arrest. The Officer will sign a release form (copies of this form are maintained at the school) and an effort will be made to contact a parent or guardian.

VI. **Protective Custody**

A. An officer may take a juvenile into protective custody under the following circumstances:

- 1.
- 2.
- 3.

- B. An arrest report will be completed (Charge is "Protective Custody") and if possible, written notification will be left at the home where the child is taken into custody.
- C. The arresting officer will notify Child Protective Services, and if necessary transport the child to the Dallas County Emergency Shelter (CPS). Officers who transport children to CPS must provide intake workers at CPS with a copy of the arrest report and a notarized handwritten affidavit explaining the reason the child was taken into custody.
- D. Children picked up for abuse, neglect, or abandonment will not be released back to the alleged offender without the approval of CPS.

- VII. Fingerprints and Photographs  
Refer to Texas Family Code
- VIII. File and Record Security  
Refer to Texas Family Code
- IX. Waiver of Rights (Confessions)  
Refer to Texas Family Code

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-26; REVISED: January, 1992; REVISED: January, 1996; REVISED: July 1998; REVISED: August, 2011; REVISED: March, 2013

The State of Texas §  
County of Dallas §  
City of Mesquite §

**Mesquite Police Department**  
**Juvenile Release Agreement**

- 1) **Juvenile Name** \_\_\_\_\_ DOB \_\_\_\_\_  
(Last, First, Middle)  
Age \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ School \_\_\_\_\_
- 2) **Adult Name** \_\_\_\_\_ DOB \_\_\_\_\_  
(Last, First, Middle)  
Address \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_  
City, State Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ DL State \_\_\_\_\_ DL # \_\_\_\_\_  
Work Phone \_\_\_\_\_ Social Security # \_\_\_\_\_  
Relationship to Above Juvenile \_\_\_\_\_
- 3) **Check only one box:**
- ☐ **A. Municipal Court:** I, the undersigned defendant, in consideration of being released from the custody of the Mesquite Police Department on my personal agreement to appear, do hereby agree to appear as directed in the Municipal Court of Mesquite, Texas, on or before 12 days from the date of the offense to answer to the charge(s) of \_\_\_\_\_ or make legal disposition of this charge according to court instructions. The court phone number is 972-216-6206. I further understand that if I fail to appear as agreed, that an additional charge of *Failure to Appear* may be filed by the Municipal Court.
- ☐ **B. Dallas County District Attorney's Office:**  
Charge(s) \_\_\_\_\_  
As a condition of the juvenile's release to me, I do hereby agree to insure the juvenile appears in court when directed by proper authority. I understand that if the juvenile fails to appear in court that the Dallas County District Attorney's Office may file a civil action requiring me to appear and produce the juvenile in court and that the court may order sanctions against me, if I fail to appear and produce the juvenile in court.
- ☐ **C. No Charges Filed:** Your child was taken into custody at \_\_\_\_\_ (time) on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Officer \_\_\_\_\_ of the Mesquite Police Department for protective custody only. No charges will be filed.
- 4) **Signatures:** I have read and understand the section marked above. (A, B or C)  
Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Juvenile Signature \_\_\_\_\_  
Adult Signature \_\_\_\_\_
- 5) **Release:** Releasing Officer \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

White – Records, Yellow & Pink – DA's Office, Goldenrod – Parent

**Exhibit No. 200-4 Juvenile Release Agreement**

# **JUVENILE CHARGING INFORMATION – District Attorney Juvenile Division**

PRINT CLEARLY AND LEGIBLY

<b>POLICE AGENCY:</b>	<b>Mesquite Police Department</b>	
<b>JUVENILE:</b>	Last Name _____	First Name _____
	Age: _____ D.O.B: ____/____/____ Sex: M F	
<b>Address of Juvenile:</b>		
<b>City, St, Zip:</b>		
<b>Juv. Phone:</b>	<b>School:</b>	
<b>Parent (Guardian):</b>		
<b>Address:</b>		
<b>City, St, Zip:</b>		
<b>Home Phone:</b>		
<b>Work Phone:</b>		
<b>CHARGE 1:</b>	Last Name _____	First Name _____
	<b>COMPL Person):</b> _____	
	AGE: _____ DOB: ____/____/____ Phone: _____	
<b>Date Offense:</b>	<b>Property Taken:</b> _____	
	<b>Weapon Used:</b> _____	<b>Svs. No.</b> _____
<b>CHARGE 2:</b>	Last Name _____	First Name _____
	<b>COMPL (Person):</b> _____	
	AGE: _____ DOB: ____/____/____ Phone: _____	
<b>Date Offense:</b>	<b>Property Taken:</b> _____	
	<b>Weapon Used:</b> _____	<b>Svs. No.</b> _____
<b>CHARGE 3:</b>	Last Name _____	First Name _____
	<b>COMPL (Person):</b> _____	
	AGE: _____ DOB: ____/____/____ Phone: _____	
<b>Date Offense:</b>	<b>Property Taken:</b> _____	
	<b>Weapon Used:</b> _____	<b>Svs. No.</b> _____

**Comment:**

FOR DA USE ONLY



Cause No:	Ct:	DA:	Pct:	Set:	JD: F NF PO:	SUPL
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**Exhibit No. 200-5 Juvenile Charging Information DA Juvenile Division**

## MESQUITE POLICE DEPARTMENT – FIELD CONTACT

Incident Number:				Incident Type:			
<b>Field Interview Information:</b>							
Person No:		MNI:		Case Number:		Reporting Officer ID:	
Event Association:				Contact Date:		Time:	
Location of Contact:						Building No:	County:
Name:						Prefix:	
Alias (1):				Alias (2):			
Social Security No:		Date of Birth:	Age (Range):	Sex:	Race:	Ethnicity:	Juvenile:
Height (Range):		Weight (Range):	Eye Color:	Hair Color:			
Address 1:						Building No:	County:
Premise Type:							
Phone Type:		Phone Number:		Ext:	Phone Type:		Phone Number:
Exp Date:	State of Birth:	Residential Status:		Occupation:		Employer:	
Address 2:						Building No:	County:
Premise Type:							
SMTI Code:				SMTI Description:			
SMTI Code:				SMTI Description:			
SMTI Code:				SMTI Description:			
SMTI Code:				SMTI Description:			
Parent/Guardian Name (1):				Parent/Guardian Name (2):			
Condition (1):		Condition (2):			Condition (3):		
Gang Name/Affiliation:				Blood Type:		Marital Status:	
Distinguishing Marks:							
Contact Summary:							

**Exhibit No. 200-6 Field Interview / Intelligence Form**

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>208.00 TACTICAL TEAM</b>
	<b>Effective Date: November, 2015</b>
	<b>Approved:</b>  <div style="text-align: center;">Chief of Police</div>

- I. **Organization**  
The Tactical Team is under the command of the Chief of Police, or his designee.
- II. **Primary Duties**
  - A. To maintain specialized skills in order to provide a nucleus of trained manpower for high risk situations including but not limited to:
    1. Hostage situations
    2. Barricaded suspects
    3. Sniper incidents
    4. Terrorist activities
    5. Civil disorders
    6. High risk search warrants/arrests
  - B. To provide manpower to combat problems at such locations and times as crime analysis, experience and reason indicate that the deployment of additional forces will prove successful.
  - C. For special activities when the need arises or when violence is anticipated.
  - D. To provide manpower in C.I.D. raids, or for multiple arrest situations.
  - E. To provide training for other department personnel in such areas as officer survival and firearms instruction.
  - F. Other duties, as assigned.
- III. **Deployment**
  - A. The Tactical Team is to be deployed to specific areas of the city where maximum effectiveness can be obtained in dealing with special crime problems or high risk situations.
  - B. The Tactical Team shall be deployed as a control unit upon activation of the Departmental Disaster Control Plan,
    1. any civil disorder where the possibility of sniping, looting or harassment may occur.
    2. any natural disaster which may result in danger to lives, destruction of property or looting.
  - C. As directed by the Chief of Police or his designee.
- IV. **Emergency Activation – Immediate, Ongoing Threat**
  - A. When faced with a situation indicating an immediate need for the Tactical Team, the Sergeant in charge of the incident will notify an on-duty command level officer in their chain of command and relay the facts of the incident.
  - B. The command level officer is authorized to activate the tactical team at that time but will immediately contact the Bureau Commander over the Tactical Team and inform them of the activation.
  - C. If an on-duty command level officer in the initiating sergeant's chain of command is not available, the sergeant initiating the request should contact the Bureau Commander over the Tactical Team directly to initiate the request.
- V. **Pre-Planned Warrant Activations**
  - A. The sergeant over the unit initiating the service of any warrant shall have the duty to evaluate the details of the warrant service and, if warranted, request the activation of the

Tactical Team to assist. In making this determination, the sergeant should consider all known factors including:

1. The criminal histories of the suspects who are likely to be present at the scene of the warrant service,
  2. The propensity for violence by the suspect or any other person at or around the location of the warrant service,
  3. The physical structure of the location including any barriers, booby traps, reinforced doors or windows,
  4. The geography around the location of the warrant service,
  5. The possibility of injury to any person at or near the location of the warrant service, particularly children,
  6. The probability of weapons being present at the location.
- B. The sergeant in charge of the unit initiating any felony warrant service will complete the Mesquite Police Department – Warrant Service Checklist form and submit it to any on-duty command level supervisor in the Sergeant's chain of command for review.
- C. If either the command level officer or the sergeant initiating the warrant service believes tactical is needed, the form will be forwarded to the Bureau Commander in charge of the Tactical Team for final approval of the activation. If the Bureau Commander in charge of the Tactical Team is not available, the Assistant Chief over the Operations Division should be contacted directly for final approval of the activation.
- VI. Upon approval of any request for Tactical Team activation, the Assistant Chief over the Operations Bureau will be immediately notified by the Bureau Commander over the Tactical Team that the team is being activated.
- VII. Tactical Operations

A.

B.

C.

D.

E.



**EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-31, 78-31; REVISED: August, 2011; REVISED: March, 2013; REVISED: June, 2015; REVISED: November, 2015**



# MESQUITE PD TACTICAL WARRANT SERVICE CHECKLIST

## SUSPECT INFORMATION

NAME

RACE/SEX/DOB

OFFENSE

SERVICE #

## OPERATIONAL PLANNING & LOGISTICS (CHECK ALL THAT APPLY)

☐  
☐

SINGLE FAMILY RESIDENCE

APARTMENT

☐  
☐

HOTEL

BUSINESS

☐  
☐

VEHICLE STOP

OTHER \_\_\_\_\_

TARGET ADDRESS:

TARGET DESCRIPTION:

## SAFETY ISSUES / CONCERNS (CHECK ALL THAT APPLY)

☐

VIOLENT CRIME INVOLVED

☐

VIOLENT CRIMINAL HISTORY

☐

WEAPONS HISTORY

☐

GANG MEMBER

☐

ANTI-ENTRY DEVICES

☐

GEOGRAPHIC BARRIERS OR CONSIDERATIONS

☐

SURVEILLANCE DEVICES

☐

DOGS / ANIMALS

☐

WEAPONS KNOWN OR AVAILABLE

☐

CHILDREN AT LOCATION

☐

OTHER OCCUPANTS

☐

OTHER CONCERNS (DESCRIBE)

DESCRIPTION

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## RECOMMENDATIONS

ASSESSOR: \_\_\_\_\_

USE SWAT TEAM    DO NOT USE SWAT TEAM

☐☐

COMMAND LEVEL OFFICER: \_\_\_\_\_

☐☐



SWAT BUREAU COMMANDER: \_\_\_\_\_

APPROVED

☐

NOT APPROVED

☐

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>209.00 PROCEDURAL GUIDELINES REGARDING INVESTIGATIVE PRISONERS</b>
	<b>Effective Date: August, 2011</b>
	Approved:  _____ Chief of Police



**I. Policy**

Prisoners confined in the Mesquite City Jail shall be the subject of a Probable Cause Affidavit and a Warrant of Arrest and Detention, signed by a magistrate, or of a written complaint filed with the City of Mesquite Municipal Court, or other competent court within two business days. If within two business days such affidavit and warrant have not been executed, or such complaint has not been filed, the prisoner shall be released.

**II. Provisions**

- A. Saturdays, Sundays, and City Holidays will not be counted. (For example: A person arrested Monday afternoon must be filed on, or have a warrant issued, no later than Wednesday afternoon. A person arrested Friday afternoon must be filed on, or have a warrant issued, by Tuesday afternoon. A designated city holiday would extend the deadline.)
- B. The criminal complaint requirement may be satisfied by filing a Class "C" Misdemeanor complaint in Municipal Court.
- C. The fact that a warrant has been issued or a criminal complaint has been filed does not mean that the defendant must be physically transferred to another facility within two days. Good and sufficient reason may exist to detain the defendant in the Mesquite City Jail after a case has been filed. (For example: Investigators may be working on other cases with the subject, and the need for continuing interviews may exist. Such interviews may be conducted more efficiently at this facility than elsewhere.)  
Therefore, in controlled instances Investigations Bureau supervisory personnel may give approval for an Investigator to retain a prisoner beyond the normal two-day limit. The supervisor will ensure that such approval is noted in the Arrest Report/Jail Record which records his authorization of that action. The supervisor is accountable for such action, and must follow-up by ensuring the prisoner is not kept longer than is reasonable and necessary.
- D. The first-line supervisor shall ensure the arresting officer submits all required case reports before the end of the tour of duty during which an arrest is made. The charging officer shall ensure that all required case reports are submitted before the end of the tour of duty during which investigative charges are added to a prisoner's Arrest Report/Jail Record.
- E. The Station Sergeant must ensure that all prisoners arrested during his tour of duty, and all persons held in jail whose arrests have not been previously evaluated, are held in accordance with the law and acceptable police procedure. The fact that probable cause may have existed for an arrest does not mean that a person can be held indefinitely. If the supervisor detects any cause for concern about whether a person is being properly held, he must immediately relay that concern to a lieutenant or above. During regular business hours, he should report the concern to the Bureau Commander with authority over jail operations. At other times, he should report such concern to the on-duty Watch Commander; or if no Watch Commander is on duty, to a lieutenant or above.
- F. To facilitate the transfer of prisoners to the County Jail, the Investigations Bureau Clerk will provide the day-shift Information Desk Assistant (by approximately 10:00 a.m.) the names of persons tentatively scheduled for transfer. Should a prisoner on the list sign an application for bond, the Information Desk Assistant shall notify the Investigations Bureau clerk, who may reprioritize the paperwork process on that individual.

G. All levels in all bureaus should be kept informed of activities between bureaus in order to maximize the efficiency and effectiveness of the Department.  
EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-44, 80-44; REVISED: January, 1992; FORMERLY: 210.00; REVISED: January, 1996; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>210.00 INVESTIGATIVE SUSPENSION GUIDELINES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">           Chief of Police       </div>

# **I. Duties and Responsibilities**

## **A. Criminal Investigations Bureau**

The Criminal Investigation Bureau shall have follow-up investigative responsibility on all cases. Cases cleared by arrest shall be reviewed for sufficiency of evidence and proper form. Incomplete cases shall be returned to the Operations Bureau Commander for correction/completion.

## **B. Case Review/Assignment**

The assigning supervisor shall review each case for completeness and solvability factors. Cases having a chance for solution will be assigned for follow-up investigation, utilizing the case assignment schedule.

## **C. Early Case Suspension**

1. Early case suspension means that a case will be assigned "inactive upon receipt" when it is believed that further investigation would not be productive.
2. The assigning supervisor will review each case for solvability factors. Each case that does not meet the solvability factor requirement will be assigned inactive.
  - a. Can the complainant or witness identify the offender?
  - b. Is the offender known to the complainant or witness?
  - c. Does the complainant or witness know where the offender is located?
  - d. Is there physical evidence at the scene which would aid in the solution of the case?
  - e. Is the complainant or witness willing to view photographs to aid in identifying the offender?
  - f. Can the complainant or witness provide a meaningful description of the offender (address, auto, scars, etc.)?
  - g. Would inactivation of this case have an adverse reaction by the community to the crime?
  - h. Does the crime involve a sensitive or unusual place or person (church, school child, elderly person, mental defective)?
  - i. Is there a pattern of such crimes in the area which points to a single individual or a group of persons?
  - j. Does the number of similar type crimes in a given area raise questions concerning the department's image or its performance and efficiency?
3. Case Suspension after Investigation
 

Cases assigned for investigation may be deemed inactive after investigative efforts have failed to produce evidence that would classify the case as one of the following: CBA, Exceptionally Cleared, Information Only or Unfounded. The assigned investigator may inactivate a case if he can answer no to all the following questions:

  - a) Can a suspect(s) or accomplice(s) be identified?
  - b) Has a full description or a distinctive partial description of the suspect or accomplice been developed?
  - c) Is there data available about the suspect(s) or accomplice(s), such as address or location frequented?



- d) Can a victim or witness identify the suspect or accomplice from a photo file or line-up?
- e) Is any property associated with the crime traceable?
- f) Is the suspect or accomplice vehicle license number traceable?
- g) Is a good description of the vehicle known, or is a distinctive description of the vehicle or its contents known and traceable?
- h) Can a suspect's fingerprint(s) be obtained?
- i) Has significant physical evidence (either traceable or uniquely distinctive) been developed?
- j) Are unusual, distinctive, or significant modus operandi patterns present?
- k) Was there a definite limited opportunity for anyone except the suspect(s) to have committed the crime?
- l) Is there other significant reason in the judgment of the case investigator to believe the crime may be solved with an additional amount of investigative effort?
- m) Is the crime of such magnitude that the public would expect a police investigation?

If the investigator can answer yes to any one of these questions, he will not inactivate the crime report.

4. Recordkeeping Procedures

Upon a report being classified as inactive, the report will be reviewed and approved by a supervisor and submitted to the Custodian of Records.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-47, 81-47; FORMERLY: 211.00; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>211.00 EXPEDITER SYSTEM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. The Public Safety Dispatcher shall evaluate each call individually in order to determine the appropriate mode of police response. Calls amenable to referral to the Expediter/Information Desk Assistant would include, but not be limited to:
    - A. Information (10-43)
    - B. Theft (10-67)
 

Exceptions: In-progress offenses, offenses where suspects are in custody or in the immediate area; motor vehicle thefts which occurred within the last few minutes. Drive-off gasoline thefts should be mailed in by the complainant, with an immediate notification to the district officer of suspect description and direction, if the suspect is still in the area.
    - C. Missing Person (10-75)
 

Exceptions: Children under the age of 13; elderly adults; mentally incompetent persons; or possible victims of criminal action or other harm.
    - D. Malicious Mischief (10-84)
 

Exceptions: In-progress offenses; or offenses where suspects are in custody, or in the immediate area.
    - E. Obscene/Harassing/Threatening Phone Call (10-85)
  - II. Some other factors and circumstances will influence the determination of an appropriate response mode. For example, if the complainant has no telephone or is at a pay phone, and the Expediter is not immediately available, then a district officer should be dispatched.
  - III. In any case where a citizen insists on the dispatch of a patrol officer, the call shall be assigned to a district officer.
  - IV. If the Expediter is unable to locate the complainant at the phone number given, he shall ensure the times and results of his attempts are recorded on the call record. Reasonable diligence in re-contacting the complainant is expected.
  - V. Upon development of information that a particular call warrants referral to a district officer, the Expediter shall initiate such referral through the Public Safety Dispatcher. The object of such referral shall be to provide police service which cannot be provided over the telephone.
  - VI. The Expediter shall ensure that the district officers are apprised of any pertinent information, such as suspect descriptions, missing persons information, crime patterns, etc., developed from telephone or walk-in reports.
  - VII. The Public Safety Dispatcher shall endeavor to avoid an excessive backlog of calls awaiting action by the Information Desk Assistant when there is no assigned expediter. As a general guideline, calls should not be held for more than two hours.
  - VIII. The Public Safety Dispatcher shall complete a call record on each call for service referred to the Expediter. The time he is notified of the call will be recorded as Time Dispatched. The Expediter shall be responsible for recording the times of unsuccessful contact attempts and clearing the call with the correct disposition.
  - IX. Calls handled by the Expediter shall be coded as a priority nine (9) on the call record.
- EFFECTIVE: April 1986; REVISED: September, 1990; FORMERLY: C/86-53, C/84-53; FORMERLY: 212.00; REVISED: August, 2011

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## MESQUITE POLICE DEPARTMENT

### 212.00 PROCUREMENT AND EXECUTION OF WARRANTS OF ARREST OR SEARCH

Effective Date: August, 2011

Approved: \_\_\_\_\_

Chief of Police

#### Procedure:

##### I. Arrest Warrants

- A. Procedure to obtain an arrest warrant on a Felony, Class A and Class B misdemeanors during business hours.
  1. Complete an Arrest Incident or an At-Large Case on the LRMS system.
  2. Provide the service number of the incident to one of the C.I.D. secretaries and they will prepare the warrant.
- B. Procedure to obtain a Class C Misdemeanor warrant during business hours.
  1. Have the complainant sign a Municipal Court Complaint in front of a Notary.
  2. Fill out a Municipal Court Routing Slip and attach the Routing Slip to the complaint. Take the complaint and the routing slip to the Court Clerk's Office. If you want the warrant as soon as possible, tell the personnel of this fact, otherwise the warrant will be issued in several days and returned to the requesting officer.
- C. Procedure to obtain a Class C Misdemeanor warrant after business hours.
  1. Have the complainant sign a Municipal Court Complaint in front of a Notary.
  2. Fill out a Municipal Court Warrant and find the City Magistrate or an alternate to sign the warrant.
  3. Notify the Municipal Court the next business day that you obtained a warrant so that they may assign a number to the warrant.
- D. Procedure to obtain an arrest warrant on a Felony, Class A and Class B misdemeanors after business hours.
  1. Complete an incident report for an individual in custody or if the individual is not in custody complete an at large case report.
  2. Access the intranet and click on C.I.D. databases. Under the case file section complete the prompted steps to obtain the warrant number (Felony or Misdemeanor). After the warrant number is obtained, you may complete your arrest warrant.
  3. Contact a Magistrate and arrange for the Magistrate to sign the warrant. The Information Desk Assistant maintains a current list of addresses and phone numbers for the City Magistrate and the Alternate City Magistrates.
  4. Leave all the completed paperwork on the C.I.D. secretary's desk. This applies whether or not you serve the warrant. The C.I.D. Secretary will process the paperwork the next business day.

##### II. Search Warrants

- A. Procedure to obtain a Search Warrant
  1. Complete a Search Warrant consisting of the front page of the warrant, the Affidavit for Search Warrant, Exhibit A and if necessary any additional exhibits.
  2. A C.I.D. supervisor should review all search warrants.
  3. Take the completed Search Warrant to the appropriate Magistrate.
  4. Leave a copy of the Search Warrant and an inventory of seized property with the person in charge of the premises. If no one is on the premises, the executing officer shall leave a copy of the warrant and inventory in a conspicuous location inside the premises searched.


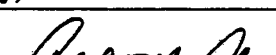
5. Make the "Return and Inventory" within fifteen (15) days, exclusive of the day of issuance and the day of execution "if the warrant is issued solely to search for and seize specimens from a specific person for DNA analysis and comparison, including blood and saliva samples; or three days, exclusive of the day of issuance and the day of execution if the warrant is issued for a purpose other than that described by subdivision (1)." Art. 18.07 Code of Criminal Procedure.
  6. Include a copy of the Search Warrant and Affidavit with the prosecution reports to be sent to the district attorney.
- B. Who may sign Search Warrant
1. A City of Mesquite Magistrate may sign a Search Warrant to be executed in Dallas and Kaufman Counties for items numbered 1-9 and 11 in Art. 18.02 Code of Criminal Procedure.
  2. A Search Warrant written under Art. 18.02 (10) and 18.02 (12) Code of Criminal Procedure may only be signed by a judge of a municipal court of record or a county court judge who is an attorney licensed by the State of Texas, a statutory county court judge and a district court judge, except:
  3. Any magistrate who is a licensed attorney in the State of Texas may issue a Search Warrant under Art. 18.02 (10) of the Code of Criminal Procedure to collect a blood specimen from a person who: is arrested for an offense under 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08 of the Texas Penal Code and refused to submit to a breath or blood alcohol test.
- III. Magistrates
- A. Procedure to locate a Magistrate to sign an Arrest or Search Warrant during business hours, in order of priority:
1. Contact the City of Mesquite Court Clerk's Office for the city judge or one of the alternate city judges (The Information Desk Assistant maintains a current list of addresses and phone numbers for the City Magistrate and the Alternate City Magistrates.).
  2. Contact the Dallas County District Attorney's Office for assistance locating a District or County Court judge.
  3. Contact the on-duty Dallas County Jail Magistrate (24 hours) at 214-653-2842. (Numbers 2 and 3 should only be used for Dallas County warrants)
- B. Procedure to locate a Magistrate to sign an Arrest or Search Warrant after normal business hours, in order of priority:
1. Contact the city judge.
  2. Contact an alternate City of Mesquite Judge.
  3. Dallas County Jail Magistrate (24 hours) at 214-653-2842 (For Dallas County warrants only)
- IV. Execution of Search and Arrest Warrants
- A. The officer responsible for the execution of a search/arrest warrant shall notify his supervisor prior to execution.
- B. One or more uniformed officers shall participate in the execution of any Mesquite Police Department search/arrest warrant within the City of Mesquite.
- C. The local law enforcement agency shall be notified prior to the execution of any search/arrest warrant outside the City of Mesquite, except as directed by a command-level officer. A uniformed member of that agency shall be requested to accompany executing officers, except as directed by a command-level officer.
- D. The officer in charge of execution of a search/arrest warrant shall ensure that all participants in the operation, including any representatives of another agency, are thoroughly briefed prior to the operation. The briefing shall include:
1. introduction of any participants who are unknown to one another,
  2. individual assignments,

- 3. physical layout of the structure to be searched,
- 4. known information regarding persons expected to be present,
- 5. need for raid jackets and/or protective clothing
- E. The officer responsible for execution of the warrant shall present the person in charge of the premises with a copy of the search/arrest warrant, and a signed copy of an inventory of all property seized, if any. If no one is present at the time of execution, the responsible officer shall leave a copy of the warrant and inventory in a conspicuous location inside the premises searched.
- V. Mesquite Municipal Court Arrest Warrants
  - A. The possibility of human error or of information system deficiency should not be ruled out. For that reason, any claim of error raised by a person believed to be a subject of a Mesquite Municipal Court warrant should be carefully evaluated.
  - B. If a claim of error in a Mesquite Municipal Court warrant cannot be conclusively resolved, the officer should obtain a current address and phone number for the subject. The subject should then be released with instruction to contact the City of Mesquite Municipal Court during the next business day for a resolution of the matter. The officer shall provide a memorandum to the Court, through the chain of command, outlining the circumstances and the claim.
- VI. Search Warrant Return
  - A. Municipal Magistrate - Original Warrant shall be returned as prescribed by law.
  - B. Alternate Municipal Magistrate - A copy of the warrant will be given to the alternate judge when the return is made and the original will be returned to the municipal judge.
  - C. Other Magistrates - Search warrant originals will be returned to the issuing judge when the return is made and a copy given to the municipal judge.

The municipal judge will maintain a central file of all search warrants obtained by our officers.  
EFFECTIVE: April, 1986/May, 1984; FORMERLY: C/86-64, C/84-56, CID Directive #5; REVISED: September, 1990; REVISED: January, 1992; FORMERLY: 213.00; REVISED: August, 2011

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	<h1 style="text-align: center;">MESQUITE POLICE DEPARTMENT</h1>
	<h2 style="text-align: center;">213.00 USE OF LESS-LETHAL AND LETHAL FORCE</h2>
	<p><b>Effective Date: July, 2017</b></p>
	<p>Approved: _____</p> <p style="text-align: center;">               Chief of Police           </p>

## I. Policy Statement

The purpose of this policy is to provide law enforcement officers of this agency with guidelines for the use of deadly and non-deadly force. This policy does not set forth a higher standard of care with respect to third party claims.

The Mesquite Police Department values the protection and sanctity of human life. It is therefore the policy of this department for officers to use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer and others. The use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would use under the same or similar circumstances. The officer's actions will be reviewed based upon the information known to the officer at the time the force was used. Information discovered after the fact will not be considered when assessing the reasonableness of the use of force.

The policy of this department permits less-lethal and deadly force where such force is in accordance with current law. In reference to officers deciding to use force, officers should always adhere to the standard of:

- I had to do it
- I had to do it now
- **Nothing less would do**

**Officers are prohibited from using any force as a means of punishment or interrogation.**

## II. Definitions

### A. Deadly Force

**Deadly Force:** Any use of force that creates a substantial risk of causing death or serious bodily injury.

### B. Less-lethal Force

**Non-deadly Force:** Any use of force other than deadly force. This includes any physical effort used to control or restrain another, or to overcome the resistance of another.

### C. Objectively Reasonable

1. **Objectively Reasonable:** This term means that, in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the level of threat or resistance exhibited by the subject and the danger presented to themselves and the community.
2. When evaluating the reasonable application of force, officers may consider their own age, size, strength, skill level with department weapons, state of health, and the number of officers in relation to the number of suspects.

### III. Prohibited Force

**A. The following acts associated with the use of force are prohibited:**

- 1.
- 2.
- 3.

IV. Training

- A. All officers shall receive training in the use of their firearms, all less-lethal weapons authorized by the department, hands-on arrest and defensive tactics, as well as the Use of Force policy prior to performing any law enforcement duties.
- B. All officers shall be trained and qualified with their firearms according to General Order 403.00
- C. All officers shall receive training in the department's Use of Force policy annually.
- D. All officers shall receive hands-on arrest and defensive tactics training every two years. The Chief of Police may approve a less intensive defensive tactics training class for administrative positions.
- E. Officers authorized to carry Taser and/or Sage Less-Lethal weapons shall receive training on these weapons and demonstrate proficiency according to manufacturer policy or every two years.
- F. All Use of Force training shall, at a minimum, comply with the standards established by TCOLE and State law.

V. Procedures

A. Use of Less-lethal Force

- 1. Where deadly force is not authorized, officers may use only the level of force that is objectively reasonable and necessary to bring an incident under control or affect the arrest.
- 2. Officers are authorized to use department-approved less-lethal force techniques and issued equipment when one or more of the following apply:

- a.
- b.
- c.

B. Less-lethal force options

- 1.
  - a.
  - b.
- 2.
  - a.
  - b.
  - c.

[page 137]  
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a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

**C. Use of Deadly Force**

1. The safety of innocent bystanders shall always be a consideration in any decision to use lethal force. Law enforcement officers are authorized to use deadly force when one of the following applies:

a.



b.

*The threat of deadly force is not considered using deadly force, but is a force option for the officer.*

**D. Use of Deadly Force options**

**1. Firearms**

a.

b.

c.

d.

e.

f.

**2. Other types of Deadly Force**

a.

**VI. Reporting Uses of Force**

**A. Documentation process**

1. Officers shall notify their immediate supervisor and complete the Use of Force Documentation form after a use of force identified below has occurred:

a. Empty hand control technique where the suspect is injured and requires treatment of more than first aid at the scene.

b. Carotid restraint.

c. Use of force where any officer involved is injured.

d. Chemical agent deployed.

e. Taser drive stun.

f. Taser probes deployed.

g. Impact weapon deployed.

h. Vehicle used as force option.

i. Firearm discharged.

2. Officers shall render first aid to anyone injured in a use of force incident, whether visible or not.

3. The Use of Force form shall be in addition to any other required reports.

**VII. Departmental review**

**A. Review**

1. The officer's supervisors and the Chief of Police shall review all reported uses of force to determine whether:
  - a. Departmental orders were violated.
  - b. Relevant departmental policy was clearly understandable and effective to cover the situation.
  - c. Departmental training was adequate.
  - d. Departmental equipment operated properly.
2. At least annually, the Chief of Police or his designee shall conduct an analysis of use-of force incidents to be made available to the public and to determine if additional training, equipment, or policy modifications may be necessary.



**VIII. Medical Treatment after Using Force**

- A. If a person is injured as a result of the use of force, the officers shall obtain first aid or medical treatment for that person.

**EFFECTIVE: April, 1986/June, 1985; FORMERLY: C/86-69, C/85-59; REVISED: September, 1990; REVISED: January, 1992; REVISED: November, 1993; FORMERLY: 215.00; REVISED: January, 1996; REVISED: March, 1997; REVISED: July, 2000; REVISED: August, 2003; FORMERLY: 214.00; REVISED: August, 2011; REVISED: May, 2012; REVISED: March, 2013; REVISED: December, 2013; REVISED: June, 2015; REVISED: December, 2016; REVISED: July, 2017.**

[Page 141]  
(082019-14079)



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>214.00 BOMB THREAT /FIRE CALL RESPONSE</b>
	<b>Effective Date: March, 2013</b>
	Approved:  Chief of Police

- I. Fire Calls
  - A. The Police Officer will provide traffic and crowd control at fire scenes.
  - B. The primary officer will assess the staffing needs. Additional officers will be assigned as necessary to control vehicular and pedestrian access to the fire scene.
  - C. Officers shall ensure that vehicles do not cross a charged fire hose.
  - D. At a major fire scene, a police supervisor shall respond to the Fire Incident Command Post, or shall assign an officer to that command post, to ensure adequate coordination of public safety activities.
  - E. Unless police assistance is requested by the Fire Commander or is required for law enforcement purposes, police personnel will not enter a building on fire.
  - F. In instances of large scale hazardous materials and/or biohazard situations the Mesquite Fire Department will be contacted and will respond to address the incident. The Mesquite Fire Department maintains all biohazard equipment.
- II. Bomb Threats
  - A. City Administrative Directive #2 assigns primary responsibility for bomb threats, including investigation, search and internal security, to the Fire Department. Unless police assistance is requested by the Fire Commander, police personnel will remain outside the threatened building (see Exhibit No. 200-8 Bombs and Bomb Threats for Fire Department Standard Operating Procedure).
    - 1. The first officer on the scene may enter the building for the purpose of advising the person in charge of the premises of the existence of the threat, if it is unknown to that person.
    - 2. Police personnel shall not handle a suspected explosive device.
  - B. The Public Safety Dispatcher will ensure that a Police Supervisor and the Watch Commander are notified of any bomb threat incident. A police supervisor shall respond to the Fire Incident Command Post, or shall assign an officer to that command post, to assure coordination of public safety activities.

- C.
  - D.
  - E.
  - F.
  - G.
  
  - H.
  - I.
  - J.

3.

4.

5.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-65; REVISED: January, 1992; FORMERLY: 216.00; REVISED: July, 2000; FORMERLY: 215.00; REVISED: August, 2011; REVISED: March, 2013

**MESQUITE FIRE DEPARTMENT  
STANDARD OPERATING PROCEDURE**

Subject: Bomb and Bomb Threat Response

Number: 206.01

Replaces: Bombs and Bomb Threats (12/17/97)

Date of Issue: 04/10/2008

Effective Date: 04/14/2008

**I. PURPOSE**

To provide structure and coordination to the management of emergency operations involving bombs, threats of bombs or explosions and to provide for the safety and health of fire department personnel and other persons involved in those activities.

**II. NOTIFICATION BY DISPATCH**

A.  
B.

C.  
D.

E.

**III. COMMUNICATIONS**

A.  
B.

C.

D.

E.

**IV. BOMB THREATS and SEARCHES**

A. On arrival, the Incident Commander should take the following things into consideration:

1. Locate the Command Post and all responding equipment a minimum of 300 feet from the incident.
2. Consider previous incidents at the same location and where the Command Post was located at those incidents. A change in location may be warranted due to previous incidents at the same location.
3. Consider secondary devices around the Command Post and path of egress.
4. Request a Mesquite FD Arson Investigator to respond to the scene.

B. The person in charge of the threatened facility and the person who actually received the threat should be located and escorted to the Command Post to provide vital information to the Incident Commander.

**Exhibit No. 200-8 Bombs and Bomb Threats**

C.

D.

E.

F.

G.

**NOTE:**

It is imperative that personnel involved in the search be instructed that their mission is only to search for and report suspicious objects, not to move, jar or touch the object or anything attached.

**V. SUSPICIOUS OBJECT LOCATED**

A. In the event that a suspicious object/package is located, the Incident Commander shall initiate, as a minimum, the following activities:

1.

2.

3.

4.

5.

6.

7.

**VI. STAGING AREA**

A. Any additional responding apparatus or agencies shall be instructed to report to a designated Staging Area and await assignment.

**VII. POST BLAST ACTIVITIES**

A. If an explosion occurs prior to Fire Department arrival or while Fire Department personnel are at the location of a bomb threat/suspicious object, the Incident Commander shall initiate, as a minimum, the following activities:



1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11. Provide support functions to the Bomb Squad as necessary.

**VIII. EOD TECHNICIAN**



A. In the event that a suspicious object/package is located or an explosion has occurred, the EOD Technician shall conduct, as a minimum, the following activities:

1. Report to the Command Post for initial briefing from Incident Commander.
2. Keep the Incident Commander advised of his activities.
3. Evaluate the situation and determine when the use of radio equipment is permissible.
4. Perform render safe activities as appropriate for the incident.
5. Conduct all crime scene activities as appropriate for the incident.
6. Make notifications to State and Federal authorities as deemed appropriate.

Approved by:

  
Mark Kerby  
Fire Chief



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>215.00 DISPATCH OF CALLS FOR SERVICE</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**Purpose:**

The purpose of this order is to establish procedures for the dispatch of calls for service.

**Policy:**

The policy of the Mesquite Police Department is to provide for the expeditious dispatch of calls for service in a manner consistent with the nature of the incident.

**Provisions:**

**I. Call Priorities**

- A. Calls for service are initially prioritized according to the nature of the incident as determined by the CAD system from 1 (highest priority) to 9 (lowest priority) for each type of incident as distinguished by the 10-Code.
- B. Certain calls with the same 10-code are distinguished between a high-priority and a low-priority call.  
Those differentiations include:
  - 1. P -In Progress/Just Occurred/Suspect in Vicinity
  - 2. D -Delayed/Suspect No Longer in Vicinity
- C. Call priority levels are established according to the following general criteria:
  - Priority 1** - Life-Threatening Emergency
  - Priority 2** - In-Progress Crime or Incident
  - Priority 3** - Crime or Incident with Potential for Escalation to Serious Nature
  - Priority 4** - Delayed Report of Serious Crime; Crime or Incident with Potential for Escalation
  - Priority 5** - Delayed or Routine Incident; Incident with Potential for Escalation
  - Priority 6** - Delayed Report; Parking Violation
  - Priority 7** - Stable Routine Incidents
  - Priority 8** - Reserved (Self-Initiated Mark Outs)
  - Priority 9** - Telephone or Mail-In Reports
- D. The call taker is not authorized to override the pre-established priority level of an individual call, except to change a priority 9 (expediter call) to a higher priority should it require dispatch to a field unit.

**II. Call Assignment**

- A. The need for an immediate dispatch of a patrol officer is indicated on the Public Safety Dispatcher's status terminal by yellow characters. Character color is a function of the automatic Waiting Call Timer, set for each call based on the priority level of that call.
- B. The Waiting Call Timer for high-priority calls is set at zero. Those calls will be displayed in yellow immediately upon receipt, and will therefore require the immediate dispatch of a patrol officer.
- C. Lower priority calls may be displayed in light blue upon receipt. Those calls should be dispatched as soon as practical, if the district officer is available. If the district officer is not available, the call should be held until:
  - 1. the district officer becomes available, or
  - 2. the internal timer for that call changes the color from light blue to yellow or
  - 3. any incident where a delayed call has been held for an extended period of time and the citizen demands an immediate response should be dispatched as soon as possible and will be assigned to any available officer

- D. Calls displayed in yellow shall be dispatched immediately, either to the district officer or to the closest available officer.
- E. Should no officer be available for a call displayed in yellow, the Public Safety Dispatcher shall:
  - 1. reassign an officer from a lower priority call, or
  - 2. notify the appropriate police supervisor, who may elect to direct:
    - a) the reassignment of an officer from a lower priority call,
    - b) the handling of the call by a supervisor, or
    - c) the retention of the call in a waiting status.The Public Safety Dispatcher shall log the supervisory notification in the call notes.
- F. When it is obvious a call is of a lower priority nature, and circumstances indicate that a call of this nature may have to be held for an extended period, the call taker shall inform the complainant of this fact by stating something such as, "It is extremely busy at this time and we have numerous in-progress calls holding ahead of yours. We will dispatch an officer to your call as soon as one becomes available."


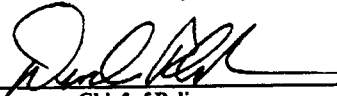
### III. Assignment of Back-Up Officers

- A. A back-up unit should be dispatched, if available, on calls based on the potential need for additional manpower to safely and effectively bring the incident to resolution. The Public Safety Dispatcher should evaluate each call to determine whether a back-up unit is appropriate.
- B. A patrol unit staffed by a Field Training Officer and trainee will not require the dispatch of a back-up unit, if the trainee is in the Third Phase of training. In all other phases, the unit shall be considered a single-officer unit.
- C. Back-up officers are not required to remain at the scene until the call is concluded. As soon as the back-up's presence is no longer required, that unit should return to service.
- D. As a general rule, officers will not disregard a back-up officer when dispatched until the first officer has arrived on scene and can reasonably determine their assistance is not required. Patrol Supervisors may permit deviation from this practice, but are accountable for allowing the deviation in policy. A supervisor's temporary deviation is not to be considered a permanent practice.

### IV. Emergency Medical Incidents

Life-threatening medical incidents will require a response by both the Fire Department and the Police Department. A police unit shall be dispatched immediately. Where no criminal action or violence is indicated or anticipated, the purpose of the police response is to provide the citizens of Mesquite the quickest response possible. Only if the Fire Department arrives at the scene before the police unit may the police unit be disregarded.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-66; REVISED: January, 1992; FORMERLY: 217.00; REVISED: January, 1996; AMENDED September, 2001; FORMERLY: 216.00 and 216.01; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>216.00 RESPONDING AND REPORTING OFFENSES, INCIDENTS &amp; MOTOR VEHICLE ACCIDENTS</b>
	<b>Effective Date: March, 2013</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement:**

To establish a written guideline that outlines the conditions under which an Offense/Incident report will be taken or when motor vehicle accidents will be investigated and an accident report (CR-3) or an equipment damage report completed by Mesquite Police Department officers. This policy also sets guidelines for responding to accidents and accident investigation methods. Generally accidents involving only damage to property will not be investigated and no report will be taken, unless such accident occurs under very specific conditions that will be outlined in this policy. If the specified conditions exist, the accident will be investigated and an accident report will be completed.

**II. Provisions Necessitating Accident Investigation - Routine Incidents**

The following accident situations will be investigated and accident reports will be completed:

**A. Fatality Accidents**

All motor vehicle accidents resulting in death of any person will be investigated and an accident report will be completed. The accident may or may not be considered reportable to the Department of Public Safety; however, a report for departmental files will be completed as a minimum requirement. Traffic section personnel will be assigned to investigate all fatality accident situations.

**B. Injury Accidents**

All motor vehicle accidents resulting in an injury or complaint of injury to any person will be investigated and an accident report will be completed. Traffic Section personnel should be assigned, when available, to investigate accidents with "life threatening" injuries.

**C. Any Accident - That Involves:**

1. A criminal act (such as, but not limited to DWI, FLID, FSRA, stolen vehicle, etc.)
2. Damage to a vehicle belonging to a governmental agency.
  - a) Exception: Incidents involving damage to a City of Mesquite vehicle shall be reported through the use of a Mesquite Police Equipment Damage Report form, in lieu of the (CR-3) report form, under the following conditions:
    - (1) The incident results in less than \$1,000 total damage, and
    - (2) No other motor vehicle, pedestrian, bicyclist, etc. is involved, and
    - (3) No injury results.
3. A police pursuit (regardless of agency).
4. A hazardous materials spill.
5. Damage to any unattended property (such as, but not limited to unattended vehicles, fences, utility poles, buildings or residences).
6. Any commercial motor vehicle accident which results in substantial damage and/or spillage of cargo.
7. Hazardous Materials -any spillage of any hazardous materials as well as notifying proper authorities in the result of HAZ-MAT personnel required on scene.



8. The (CR-3) report form will not be completed when the accident involves only MPD equipment in contact with a foreign object in the roadway, damage is less than \$1,000 and the city driver had no reasonable expectation of the foreign object being in the roadway.
- D. Other Incidents/Supervisors
1. Any accident occurring outside the city limits of Mesquite that involves a City of Mesquite vehicle and which results in significant injury and/or substantial property damage should be investigated by a Mesquite Police Department traffic investigator, when available, as well as by the law enforcement agency with jurisdiction over the accident. The MPD report will be made for "Mesquite Files Only."
  2. Supervisory officers will have the discretion to direct that any accident be investigated and a report will be completed by the investigating officer.
- III. Delayed Accidents
- A delayed report shall generally mean the opportunity existed to notify the Mesquite Police Department at the earliest appropriate time, and the reporting party elected not to make such notification, but rather elected some other course of action (settle between drivers, go on to work, etc.) and subsequently reported the accident. Once the party has the opportunity to report the accident and elects not to exercise it, the accident becomes delayed. Only delayed accidents involving any of the criteria defined in A through D above will be investigated and an accident report completed.
- IV. Police Response
- Police officer(s) will be dispatched to all reports of traffic accidents when requested and respond without delay. The response can be code one or code three and in accordance to current department policy. There are certain duties that must be performed, absent the completion of a formal accident report. Police officers will discharge, as a minimum, the following duties:
- A. In situations where the officer is dispatched, witnesses, or drives upon an accident scene, the officer will be responsible for asking pertinent questions to determine if the accident situation fits the "reportable" criteria as outlined in this order.
  - B. If the determination is made by the officer that no "reportable" criteria is met, the drivers involved in the accident will be advised that the motor vehicle accident investigation policy of the Mesquite Police Department precludes our investigation and completion of an accident report for such accidents. The officer will be responsible for the following:
    1. Securing the safety of individuals involved in the accident. Rendering first aid to those injured and summoning ambulances for those requiring one.
    2. Providing traffic direction to ensure public safety.
    3. Take appropriate enforcement actions.
    4. Securing driver's license from each driver. The officer will check the driver's license through DPS to ensure that the license is valid.
    5. Securing liability insurance proof from each driver.
    6. Issuance of appropriate citations such as violations of the Safety Responsibility Act (liability insurance), driver's license violations, and/or other violations.
    7. Initiating stolen checks on license numbers of vehicles involved.
    8. Providing each driver with the "blue form" (CR-2).
    9. Arranging for debris to be cleared from the roadway.
    10. Contacting the appropriate contract wrecker, when a wrecker is required to clear a damaged vehicle from the roadway. When the vehicle requires wrecker service, but is clearly off the traveled portion of the roadway, the driver(s) are not required to use the services of a city contract wrecker operator since their vehicle(s) are not impeding the normal flow of traffic.
    11. Issuance of the "Service Assistance Information" form to involved drivers. This form will contain the service number which will facilitate the reporting of the

- incident to their respective insurance companies. It also contains other helpful information pertaining to the accident.
12. Enter all accident information into the Mesquite Police Department Intranet database (NX).
- C. If the determination is made by the officer that at least one item of criteria is met, the officer will investigate the accident and will complete an accident report (CR-3) in addition to the applicable duties as described in Section III-B of this order.
- V. Citizen Information  
Many citizens may not agree with the policy change concerning investigation of traffic accidents. Therefore, it is incumbent upon each member of the department to remain calm and patient with those who disagree with the change.
- VI. Private Property Accidents  
A motor vehicle accident on private property will not be investigated unless it involves one of the requirements of Section (I, C, 1-7).
- A. Security of Victim's Property.
1. Personal Property (purses, wallets, etc.) belonging to an accident victim who is transported by ambulance to a hospital shall be turned over to ambulance personnel, so the property may be inventoried, and the person properly identified at the hospital.
  2. The victim's other property, as a general rule, may be left with the vehicle for safekeeping in the police auto pound; however, valuable items such as cash, jewelry, etc., which cannot be transported with the victim should be taken into protective custody by the officer for storage in the police property room.
- VII. Accident Reports  
All Accidents investigated will be documented by:
- A. Completion of the (CR-3) form and any state required supplements. Hit & Run accident report will be completed when applicable.
  - B. Recording of all witness information.
  - C. Supplemental accident report may be used as needed.
  - D. An offense report for Death Investigation will be initiated on all fatality accidents.
  - E. Filing of appropriate charges for causative factors.
- VIII. Enforcement/Classification Policy
- A. The policy of the Mesquite Police Department is to file appropriate charges for a violation of a traffic law or ordinance.
  - B. Accident classification procedures will be those specified by the Texas Department of Public Safety.
- IX. Accident Investigation Unit Policies and Procedures
- A. Accident Investigation Procedures
1. The Traffic Officer will conduct a thorough field investigation, utilizing traffic control assistance from other officers as needed.
  2. Officers at the scene prior to a Traffic Officer's arrival should maintain the scene and protect it as a crime scene, maintaining location of vehicle and evidence unless directed by a Traffic Officer or supervisor on the scene.
- X. Seizure of Automobiles by Property Damage Victims  
In accidents where a motor vehicle has caused damage to private property, there is no statutory authority for the owner of the damaged private property to seize and retain the motor vehicle which has caused the damage.  
If the motor vehicle causing the damage remains on private property, the owner of the vehicle has the right to make his own arrangements to have the vehicle removed, if not in conflict with Mesquite Police Department impoundment guidelines.
- XI. Guidelines: Offenses/Incidents

- A. Officers shall investigate each offense or potential criminal incident reported to them. A written report shall be prepared and submitted before officer's tour of duty ends, unless:
  - 1. The incident is clearly not a crime,
  - 2. The incident occurred outside the Mesquite Police Department jurisdiction,
  - 3. The incident appears trivial in nature, which justifies a periodic check rather than a criminal investigation, or
  - 4. The complainant does not want a report.
- B. If it is questionable whether or not an incident falls within an exception listed above, the report should be taken and submitted.
- C. Should the reporting party withdraw his desire for a report, or the situation resolved (as when a missing person returns home) after completion of the report, the report shall be submitted with the subsequent information noted in the details.

EFFECTIVE: April, 1986/January, 1989; FORMERLY: C/86-67, C/89-78; REVISED: September, 1990; REVISED: January, 1992; REVISED: May, 1994; FORMERLY: 218.00; REVISED: January, 1996; REVISED: July, 2000; FORMERLY: 217.00; REVISED: August, 2011; REVISED: March, 2013



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>217.00 ROBBERY ALARM RESPONSE</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- A. Upon receipt of a robbery alarm, the Public Safety Dispatcher shall dispatch a primary officer and a backup officer. Additional backup officers may be required to establish an effective perimeter control at the scene. The appropriate field supervisor shall also be notified of the alarm.
- B. As soon as the responding officers have established perimeter control positions, the primary officer shall advise the Public Safety Dispatcher, who shall initiate telephone contact with the business in question.
- C. The Public Safety Dispatcher shall attempt to determine:
  - 1. Whether the alarm is valid or false.
  - 2. Whether any perpetrators are still in the building or have left.
  - 3. Description of suspects.
  - 4. Direction of travel.
  - 5. Type of weapons involved.
- D. If advised that the alarm is false, or that the perpetrators have left, the Public Safety Dispatcher shall instruct the representative of the business to meet the officer outside the main entrance, with hands in full view. Should the representative refuse to meet the officer outside, the perimeter shall remain secured and the incident shall be handled as a hostage situation.
- E. The intent of this procedure is to prevent a hostage situation from developing, as well as to provide for the safety of responding officers. Any confrontation with a robbery suspect should be deferred until the suspect is outside the business whenever possible.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-68; FORMERLY: 219.00; FORMERLY: 218.00; REVISED: August, 2011

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## MESQUITE POLICE DEPARTMENT

### 218.00 ARREST AUTHORIZATION

Effective Date: August, 2011

Approved: \_\_\_\_\_



Chief of Police

- I. Except as provided herein, each officer of the Mesquite Police Department who arrests and books any individual into the Mesquite City Jail shall ensure the arrest and book-in are authorized by a supervisor in accordance with this order. It is the responsibility of each arresting and transporting officer to ensure that all pertinent facts regarding the arrest and the arrestee are made known to the authorizing supervisor.
- II. Supervisory authorizations shall be based on a review of the facts justifying the arrest. The supervisor shall ensure that each arrest is supported by:
  - A. probable cause,
  - B. elements of offense,
  - C. statutory authority to arrest,
  - D. admissibility of any evidence which is essential to the case.The appropriateness of these items may be presumed by the supervisor where the arrest is based on an arrest warrant which is valid on its face. Appropriateness of any charges unsupported by a warrant remain subject to review and authorization.
- III. Supervisory authorization shall also include an evaluation of the physical and mental condition of the prisoner. The supervisor shall ensure that appropriate action is taken in regard to any prisoner who appears:
  - A. Ill
  - B. Injured
  - C. Mentally Incompetent
  - D. Potentially Suicidal
  - E. Violent
- IV. It is the responsibility of the arresting officer to ensure the notification of the designated arrest authorization supervisor of the fact of an arrest in a timely manner, so as to permit arrest authorization at the book-in facility without unnecessary delay.
- V. Supervisory responsibility for arrest authorizations will be affixed according to the following schedule:
  - A. The on-duty Station Sergeant.
  - B. A designated Patrol Sergeant: The Watch Commander shall designate an on-duty Patrol Sergeant for arrest authorization duty.
  - C. Another on-duty Patrol Sergeant: Should the designated Sergeant be unavoidably committed to other police business when an arrest authorization is required, an available on-duty Patrol Sergeant may be summoned to review an arrest.
  - D. The Watch Commander: Should all on-duty Patrol Sergeants be unavoidably committed to other police business when an arrest authorization is required, the Watch Commander may be summoned to review an arrest.
  - E. Other Police Supervisor: Should all on-duty Patrol Sergeants and the on-duty Watch Commander be unavoidably committed to other police business when an arrest authorization is required, any available on-duty police supervisor may be summoned to review an arrest.
  - F. Deferred Authorization: Should all on-duty police supervisors be unavoidably committed to other police business when an arrest authorization is required, the authorization may be deferred until a supervisor becomes available. The arrestee may be detained in the holding cell pending such arrest authorization, and shall be released upon posting of

bond, presentation of a writ, or other valid release or transfer procedure. Until arrest authorization is made, Detention personnel will visually observe prisoners being kept in the holding cell no less than every 15 minutes.

- G. Nothing in this order shall prohibit the authorization of an arrest based on a telephone conversation between the arresting officer and the arrest authorization supervisor, followed by a timely personal evaluation of the prisoner by the arrest authorization supervisor, where the supervisor is unavoidably committed to other police business.
- VI. The authorizing supervisor shall indicate arrest authorization by his signature in the appropriate blank on the arrest report.
- VII. No employee of the department shall add any charge to a prisoner's arrest record without the notification and approval of the on-duty arrest authorization supervisor.
- VIII. Arrest authorization decisions made by the designated arrest authorization supervisor shall be final and may not be circumvented by another supervisor of equal rank. Such decisions may, of course, be reviewed through the chain of command.

EFFECTIVE: June, 1987; REVISED: September, 1990; FORMERLY: C/87-73; FORMERLY: 220.00;  
REVISED: January, 1996; REVISED: March, 1997; FORMERLY: 219.00; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>219.00 9-1-1 CALL RESPONSE</b>
	<b>Effective Date: August, 2011</b>
	Approved:  <div style="text-align: center;">Chief of Police</div>

- I. Communications personnel shall answer a 9-1-1 line as quickly as possible with the phrase, "Mesquite 9-1-1 [call taker's last name]." A caller on any emergency line shall not be put on "hold" unless the call taker has first determined the nature of the call, and that such action will not delay an emergency response.
- II. The call taker shall verbally verify the calling party's name, telephone number and address. The caller's responses will be checked against the ANI/ALI displays. Incorrect or questionable ANI or ALI displays shall be reported to the telephone service provider through the use of an ANI/ALI Trouble Report, to be completed by the call taker.
- III. Calls regarding incidents within the jurisdiction of another law enforcement agency, fire department, or EMS provider, shall be transferred to the appropriate responder. The call taker shall:
  - A. Announce the transfer to the caller ("Let me transfer you to the Dallas Police Department").
  - B. Announce the transferred 9-1-1 call to the other agency ("This is Mesquite with a transfer, go ahead caller").
  - C. Ensure the transfer was successful by waiting for verbal contact between the two parties before disconnecting from the call.
- IV. Hang-Up or Open-Line Calls - Land Line Phones
  - A. Should the caller hang up or become disconnected before the call taker determines the nature of the call, the call taker shall process a call for service (10-90), enter "Hang-up" as the first line of the notes, then call the telephone number displayed on the ANI screen to determine the nature of the call. Those calls resolved by a callback shall show a ND disposition. Should the line be busy on callback, the call taker will contact the operator to request the line be accessed to determine if there is a conversation on the line. A patrol unit and a back-up unit will be dispatched to the address indicated on the ALI screen if contact cannot be made or the call cannot otherwise be resolved.
  - B. Open-Line Calls  
Should the call taker receive no answer or no one can be heard on the line, a call for service (10-90) shall be processed and "Open Line" entered as the first line of the notes. A patrol unit and a back-up unit will be dispatched to the address indicated on the ALI screen. The call taker will remain on the line until responding officers make contact at the location.
  - C. Coin-Operated Phones  
Should the hang-up or open-line call originate from a phone identified as a coin-operated phone, the call taker shall attempt a callback. A call for service will not be created and no officers will be dispatched unless the call taker has reason to believe an emergency is in progress. If the callback does not resolve the issue, a MDC message shall be sent to all police units for an in-service check as workload permits.
  - D. For any of the above type calls that originate from a business or school, the call taker shall attempt to contact a representative at that location to inform them of the 9-1-1 call and to determine if there is a known emergency at the location.
- V. Hang-Up or Open-Line Calls – Wireless Phones
  - A. Definitions
    1. Phase I Wireless - Phase I Wireless calls are initiated from a cellular phone and

provide the caller's cellular phone number, or ANI, and the location of the cellular tower or the center of a cell sector coverage area only, not the caller's location. ALI screen shows Class of Service as WRLS or MOBL. The location provided by Premier ATM Map by Motorola will be a general location which may be a considerable distance from the actual location of the caller.

2. Phase II Wireless - Phase II Wireless calls are initiated from a cellular phone and provide the caller's cellular phone number, or ANI, and an approximate location of the caller using X, Y coordinates provided by the wireless carrier's network and plotted on Premier ATM Map. The ALI screen shows Class of Service as WPH2. If WPH2 is not displayed, the location provided by Premier ATM will be either the center of a cell sector coverage area, or the cell tower location. After the caller is on the phone for at least 15 seconds an ALI retransmit should provide a viable X,Y location which is within 300 yards of the caller.
3. Femtocell - A small cellular base station, typically designed for use in a home or small business. It permits connection of the user's cell phone, when within range of the femtocell, to the phone service provider's broadband internet network instead of using a radio channel between the wireless handset and the nearest cell tower. The address field will contain the address a PSAP receives on any 9-1-1 call from the same vicinity, which will normally be the address of the cell site tower, or may contain the customer's address. The latitude/longitude (X,Y) coordinates in the ALI will be derived from the femtocell, which has built-in GPS, and will be very precise.

B. General

1. Communications personnel should pay close attention to background noise, tone, and word choice of caller as additional evidence to assist with their determination of the status of a 9-1-1 call. The phrase, "Are you safe and out of danger?" or "Is someone there where you cannot talk to me?" shall be used whenever the caller is giving inappropriate answers to questions.
2. Communications personnel may disregard a wireless 9-1-1 call if there is evidence that the call is one of the following situations:
  - a. 9-1-1 misdial: A call is classified as a 9-1-1 misdial when the caller stays on the line and admits to the misdial.
  - b. Unintentional 9-1-1 call: A call is classified as unintentional when the 9-1-1 personnel can hear conversation, radio, etc. in the background and have listened sufficiently to determine that there are no sounds of an emergency situation.
  - c. Children playing on the phone or prank 9-1-1 calls. Verification must be made. If it cannot be, the call shall be handled as outlined in C-E below.
3. The call taker shall have Premier ATM open at all times.

C. Abandoned or Hang-up 9-1-1 calls – Phase II Wireless:

1. The call taker will attempt to call back the originating phone number when a 9-1-1 call is routed to the PSAP and the call disconnects before it can be determined if assistance is needed. If there are not other incoming 9-1-1 calls in need of being answered and processed, personnel will skip to number 2, below, before attempting callbacks. After processing other incoming 9-1-1 calls for service, a callback to the originating phone number of the abandoned/hang-up 9-1-1 call will be made to determine if assistance is needed.
2. If the call is Phase II Wireless, (class of service is WPH2), the call taker is to use the location information indicated on Premier ATM Map. Additional attempts to contact the caller are permitted. If the callback attempt goes to voice mail, a message shall be left. A MDC message is to be sent to all police units advising of the wireless call, the location/address, and any pertinent information related to

- the call.
3. Any evidence of an emergency situation requires that communications personnel initiate efforts to re-contact the caller to determine the nature of the incident and an accurate location for appropriate public safety response. If the call taker believes there is a police response needed, a call for service shall be entered.
- D. Abandoned or Hang-up 9-1-1 calls – Phase I Wireless:
1. Call takers will attempt to call back a wireless telephone when a 9-1-1 call is routed to the PSAP and the call disconnects before personnel can determine if assistance is needed. The call taker may continue attempts to contact the caller if the line is busy or there is no answer.
  2. Extraordinary attempts to locate a Phase I wireless 9-1-1 disconnected caller will be made only in the instance where an emergency is clearly indicated or where the call takers believes there is an emergency.
- E. Abandoned or Hang-up 9-1-1 calls – Femtocell:
- Calls from femtocells will appear as a wireless call and should appear on the ALI display as: Femtocell-followed by the service provider's name. Because the femtocell is a base station; however, it is highly likely the call will have been placed from within a home or small business and the accuracy of the X,Y coordinates acquired from the built-in GPS feature should be highly accurate. Due to these circumstances, abandoned or hang-up calls received from a femtocell shall be treated as those from a land line phone.
- F. 9-1-1 Open line calls:
1. The call taker will first listen or attempt to contact the caller verbally.
  2. If the line is disconnected the call will be treated as a hang up call.
  3. Should class of service WPH2 not be delivered with the initial call data, the call taker should wait 15 seconds before initiating a "retransmit," also known as "rebid."
- G. Response Notification
- In the event the nature of the call requires an emergency service response (i.e. indicated emergency or per policy), the call taker should take the following action:
1. If the caller's location is not known but the phone number was displayed, the call taker shall contact the wireless service provider to perform an account search for the residential address. Keep in mind that this may not be the location the caller was calling from since a wireless phone was used.
    - a) The 24/7 contact information for those companies providing wireless jurisdiction is located in the ready reference file.
    - b) The exigent circumstance form should be used when requested by the wireless service provider.
  2. If the approximate location is known, the call taker shall inform the dispatcher of the 9-1-1 call source data. Document that the location/address was obtained through the wireless service provider or the Premier ATM.
- VI. Should a caller request that his or her identity remain confidential, the call taker shall record the ANI/ALI information as displayed on the Incident Record. The caller's name will be documented in the Notes field, and "Confidential" will be placed in the Name field. This information is not to be broadcast without authorization by the shift supervisor. The information displayed on the ANI or ALI screen shall not be given to the caller without approval of the shift supervisor.
- VII. The shift supervisor shall be advised by the call taker of any call involving an unusual or noteworthy incident or any other call of questionable disposition.


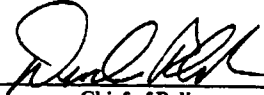
EFFECTIVE: May, 1988; REVISED: September, 1990; FORMERLY: C/88-76; REVISED: April, 1994; FORMERLY: 221.00; REVISED: July, 2000; FORMERLY: 220.00; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>220.00 CLASS C MISDEMEANOR CASE PROCEDURE</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">           Chief of Police       </div>

- I. Cases Filed by Field Officers by Citation.
  - A. Complainant MUST appear in Municipal Court within five (5) days and sign an official complaint and fill out an affidavit describing the incident to the best of his knowledge. (see Exhibit Nos. 200-9 Summons Information and 200-10 Assault Affidavit)
  - B. Court personnel will forward copies of the citation, complaint and affidavit to the city prosecutor for review.
  - C. If accepted for prosecution, the case will be returned to the court by the prosecutor.
  - D. Court personnel will assign a court date and notify complainant and defendant of that date.
- II. Citizen Comes to the Police Department to File Charges.
  - A. The Information Desk Assistant and/or Expeditor will take an offense report.
  - B. The Information Desk Assistant and/or Expeditor will have the complainant fill out an affidavit describing the incident to the best of his knowledge.
  - C. Complainant will sign an official complaint.
  - D. Information Desk Assistant and/or Expeditor will complete a Summons Information report.
  - E. The Desk Assistant and/or Expeditor will then forward a copy of the offense report and the original affidavit to the municipal court for review.
  - F. If accepted for prosecution, the case will be forwarded to the court by the prosecutor.
  - G. Court personnel will assign a court date and notify complainant and defendant of that date.
- III. Cases Filed by Investigator from Offense Reports
  - A. The investigator will contact the complainant and verify that he wishes to prosecute.
  - B. The investigator will request the complainant to come to the police department and, fill out an affidavit describing the incident to the best of his knowledge.
  - C. The complainant will be required to sign an official complaint.
  - D. The investigator will complete a Summons Information report.
  - E. The investigator will forward a copy of the offense report, the original affidavit, complaint and Summons Information report to the municipal court prosecutor for review.
  - F. If accepted for prosecution, the case will be forwarded to the court by the prosecutor.
  - G. Court personnel will assign a court date and notify complainant and defendant of that date.
- IV. In all cases, the municipal court prosecutor will have the responsibility for reviewing each case. The final decision on prosecution of each case rests with the prosecutor. In those cases where prosecution is declined, the municipal court prosecutor will notify the complainant of that decision.

EFFECTIVE: July, 1988; REVISED: September, 1990; FORMERLY: C/88-77; REVISED: January, 1992; FORMERLY: 222.00; FORMERLY: 221.00; REVISED: August, 2011

**SUMMONS INFORMATION**

TO: MUNICIPAL COURT PROSECUTOR/CLERK

DATE: \_\_\_\_\_

SUBJECT: SUMMONS

**ACCUSED NAME:**

DOB	RACE/SEX	HOME	
ADDRESS	CITY ST	ZIP	BUSINESS
ADDRESS	CITY ST	ZIP	HOME PHONE
	BUSINESS	SSN	
	PHONE		
OLN			
OLS			

**COMPLAINANT:**

NAME	ADDRESS
	CITY ST ZIP
OFFENSE	CODE NUMBER

**DOCUMENTS ATTACHED**

<input type="checkbox"/> OFFENSE RPT	<input type="checkbox"/> SIGNED COMPLAINT
<input type="checkbox"/> AFFIDAVIT	<input type="checkbox"/> OTHER

INVESTIGATING OFFICER

SIGNATURE

USE INK ONLY

**ASSAULT AFFIDAVIT**

THE UNDERSIGNED AFFIANT, BEING A CREDIBLE PERSON AND OF SOUND MIND AND BODY UNDER THE LAWS OF TEXAS AND BEING DULY SWORN, ON OATH MAKES THE FOLLOWING STATEMENTS AND ACCUSATIONS:

My name is \_\_\_\_\_. I am a \_\_\_\_\_ years old female/male  
born \_\_\_\_\_ (circle one)  
(Month/Day/Year)

My home address is \_\_\_\_\_  
(Street) (City) (State) (Zip)

I work at \_\_\_\_\_  
(Place of business) (Street) (City) (State) (Zip)

My home telephone number is \_\_\_\_\_ and my work phone is \_\_\_\_\_

I am filing assault charges against \_\_\_\_\_  
(Name of accused)

His/Her home address is \_\_\_\_\_  
(Street) (City) (State) (Zip)

He/She works at \_\_\_\_\_  
(Place of business) (Street) (City) (State) (Zip)

His/Her home telephone number is \_\_\_\_\_ and work phone is \_\_\_\_\_

His/Her Social Security Number is \_\_\_\_\_. His/Her driver's license number is \_\_\_\_\_  
and is a \_\_\_\_\_ state license.  
(state)

I am hereby accusing the above-named person with the crime of ASSAULT against me.

On \_\_\_\_\_ at \_\_\_\_\_ am/pm, at the location \_\_\_\_\_  
(month/day/year) (time of day) (Street)  
\_\_\_\_\_, this is what happened:  
(City) (State) (Zip)

(State all important facts about the assault in the space provided below. If you need more space, please use the back of this page.)

In the space provided below, please explain any special circumstances you think the City Prosecutor should be aware of. An example would be prior incidents or problems between you and the accused person. (If you need more space, please use the back of this page.)

If formal charges are filed at the Mesquite Municipal Court, would you be willing to be a witness against the person you have accused of committing an assault against you? YES \_\_\_\_\_  
NO \_\_\_\_\_ (Check one)

Are there other people who witnessed the alleged assault against you?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If you checked YES, please give the name(s), address(es), telephone number(s) and work address(es) for each witness in the space provided below.

Are there other people who could testify about any injury(s) you may have had as a result of the alleged assault?  
YES \_\_\_\_\_ NO \_\_\_\_\_



If you checked YES, please give the name(s), address(es), telephone numbers(s) and work address(es) for each person named.

The above and foregoing is true and correct to the best of my knowledge.

\_\_\_\_\_  
AFFIANT

Subscribed and sworn to before me by said affiant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Exhibit No. 200-10 Assault Affidavit (continued)

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>221.00 HIGH RISK VEHICLE STOPS/APPREHENSIONS</b>
	<b>Effective Date: January, 1992</b>
	<b>Approved:</b> _____ <div style="text-align: center;">               Chief of Police         </div>

**DEFINITION:**

Any pre-planned apprehension or vehicle stop in which there is a reasonable belief that the person(s) to be apprehended may be armed or intent on resistance.

**I. Procedures for Pre-Planned High Risk Apprehensions**

A.

B.

**II. Procedure for High Risk Vehicle Stops**

The approach to the vehicle is made with the intent of offering officers maximum safety.

A.

B.

C.

D.

E.

F.



G.

H.

I.

**EFFECTIVE: September, 1990; REVISED: January, 1992; FORMERLY: 223.00; FORMERLY: 222.00**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>222.00 FAMILY VIOLENCE</b>
	<b>Effective Date: August, 2013</b>
	Approved: _____ <div style="text-align: center;">           Chief of Police       </div>

**I. Family Violence Prevention**

- A.** An officer investigating an allegation of family violence or responding to a disturbance call that may involve family violence shall protect any potential victim of family violence, enforce the law, and make lawful arrest of violators. An officer who investigates a family violence allegation, or who responds to a family violence disturbance call shall advise any potential adult victims of all reasonable means of preventing further family violence. This includes providing written notice of a victim's legal rights and remedies and information about available shelters or community resources for family violence victims.
- Definitions - Family, family violence, household and member of household are defined in the Texas Family Code Chapter 71.

**B. Patrol Responsibilities**

1. The responding officer will:
  - a) Provide or ensure provision of first aid or treatment of injuries.
  - b) Complete an offense report if injuries are observed, if the victim claims family violence, or if the officer has reason to believe family violence has occurred.
  - c) Attempt to determine the primary aggressor.
  - d) If an arrest is made and criminal charges are filed relative to family violence, the victim should be notified upon arrest that a magistrates order for emergency protection is available. In accordance with CCP 17.292(b) the officer shall apply for a Magistrate's Order for Emergency Protection if the offense involves:
    - (1) Serious bodily injury to the victim; or
    - (2) The use or exhibition of a deadly weapon during the commission of an assault.
  - e) Place a periodic check on the victim's residence, if the suspect has fled prior to officers' arrival (minimum 24 hours).
  - f) Photograph any visible injury in a manner most likely to best document the injury.
  - g) Obtain alternate contact number if the victim relocates.

**C. Dismissal of Charges**

1. Generally, the Mesquite Police Department does not dismiss Family Violence charges. The victim will be referred to the District Attorney's office.
2. Should dismissal of charges be warranted by the Mesquite Police Department, those charges will not be dismissed within 72 hours of the arrest even if the victim files an affidavit of non-prosecution.

- D.** An officer is authorized to make an arrest without warrant. Refer to Exhibit 200-11. In cases of assault with bodily injury, an arrest should normally be made, unless unusual circumstances exist as documented in the offense/incident report and supervisor notification.

**E. C.I.D. Responsibilities**

1. The investigator assigned will:
  - a) Contact the complainant in a timely manner.

- b) Arrange complainant and witness interviews and arrange to photograph any injury not previously photographed.
    - c) Obtain medical records if necessary.
    - d) Explain all options available to the victims of family violence.
    - e) Document prior history of family violence.
    - f) File cases with the District Attorney's Office in a timely manner.
    - g) Facilitate the arrest of the suspect.
  - 2. The investigator may file a case without the cooperation of the victim.
- F. Magistrate's Order for Emergency Protection
  - 1. Is valid for up to ninety (90) days
  - 2. May be requested by:
    - a) The victim
    - b) A peace officer
    - c) A guardian of the victim
    - d) An attorney representing the victim.
    - e) An attorney representing the state.
- G. Protective Order
  - 1. Is valid for up to two years
  - 2. Applications are accepted at:
    - a) The District Attorney's Office
    - b) New Beginning Center - Contact center for hours
    - c) The Mesquite Police Department - by appointment only.
- II. Family Violence Report
 

A Family Violence Report must be completed by the reporting officer, and attached to each applicable offense/incident report.

Family violence assaults are not classified differently than any other assault.

EFFECTIVE: September, 1990; FORMERLY: 224.00; REVISED: January 1996; REVISED: March, 1997; REVISED: September, 2000; FORMERLY: 223.00; REVISED: August, 2011; REVISED: March, 2013; REVISED: August, 2013



**FAMILY VIOLENCE/DOMESTIC DISTURBANCE ARREST  
WITHOUT WARRANT DISPOSITION OPTIONS**

No Protective Order	Occurs in Officer's Presence or View	Does Not Occur in Officer's Presence or View
<b>Assault with Bodily Injury- p.c. 22.01(a)(1)</b> <ul style="list-style-type: none"> <li>Family/household member</li> <li>Not family/household member</li> </ul>	Arrest <sup>a</sup>  Should arrest	Should arrest <sup>a</sup> even without probable cause that further injury will occur  Should arrest if probable cause that further injury will occur
<b>Threats-p.c. 22.01(a)(2)</b> <ul style="list-style-type: none"> <li>Imminent capacity/intent action               <ol style="list-style-type: none"> <li>Family household member</li> <li>Not family household/member</li> </ol> </li> <li>Verbal without imminent capacity/intent action (no offense)</li> </ul>	Arrest <sup>a</sup> May arrest  Not Authorized	May Arrest or issue citation Not Authorized  Not Authorized
<b>Offensive/provocative contact- p.c. 22.01(a)(3)</b> <ul style="list-style-type: none"> <li>Family/household member</li> <li>Not family/household member</li> </ul>	Arrest <sup>a</sup>  May Arrest	May Arrest or issue citation  Not Authorized
<b>Disorderly Conduct- p.c. 42.01</b>	May arrest <sup>b</sup>	May Arrest or issue citation (if Breach of Peace)
With Protective Order	Occurs in Officer's Presence or View	Does Not Occur in Officer's Presence or View
<b>Violation of Protective Order- p.c. 25.07</b> <ul style="list-style-type: none"> <li>Causes bodily injury</li> <li>Threats               <ol style="list-style-type: none"> <li>Imminent capacity/intent action</li> <li>Verbal without imminent/capacity action</li> </ol> </li> <li>Other types</li> </ul>	Arrest <sup>c e</sup>  Arrest <sup>c e</sup> Arrest <sup>c e</sup>  Arrest	Arrest <sup>a</sup>  Arrest <sup>a</sup> May arrest  Arrest
<b>Offensive/provocative contact- p.c. 22.01(a)(3)</b>	May arrest <sup>d</sup>	May Arrest (if Family Violence)
<b>Disorderly Conduct- p.c. 42.01</b>	May arrest <sup>d</sup>	May Arrest or issue citation (if Breach of Peace)

<sup>a</sup>Unless written report justifies alternate disposition

<sup>b</sup>If public place/public peace breach

<sup>c</sup>Appropriate charge is p.c. 25.07 only

<sup>d</sup>Appropriate charge is p.c. 22.01(a)(3) only

<sup>e</sup>State law mandates arrest



NOTE: "Family Violence" itself is not an offense; however, it is conduct that may violate p.c. 25.07.

**Exhibit No. 200-11 Family Violence / Domestic Disturbance Arrest Form**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>223.00 CIVIL STANDBY, PROTECTIVE ORDERS, COURT ORDERED ASSISTANCE</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>

- I. Purpose  
To give officers guidance and instruction in the laws applicable to protective orders and other similar court orders and to establish procedures governing law enforcement assistance and civil standby activities in order to ensure that an officer's actions will be consistent with applicable laws.
- II. Definitions  

**Civil Standby:** Civil standby is the procedure whereby police officers accompany a victim of domestic violence to the residence the victim shared with their assailant while the victim retrieves his or her personal property and/or a child or the property of a child in his or her custody from the residence.

**Court Ordered Law Enforcement Assistance:** Court ordered law enforcement assistance is the procedure whereby police officers, in response to a court order, accompany an applicant to the residence named in the order to inform the respondent of the temporary ex parte or final protective order that excludes the respondent from the residence and to protect the applicant.

**Personal Property:** Personal property includes clothing, toiletries, prescription drugs and other such items of a personal nature.
- III. Policy
  - A. Mesquite police officers will perform law enforcement assistance when ordered by a court of competent jurisdiction.
  - B. Mesquite police officers may perform non-court-ordered civil standby when deemed necessary by a command level officer, or in the absence of a command level officer, by a police supervisor. Factors to be considered in determining necessity will be:
    1. The legality of conducting the standby in the manner requested;
    2. Whether the specific item(s) sought through the standby are essential to the life functions of the complainant;
    3. The time required by the complainant to remove the item(s) from the location of the standby; and
    4. The availability of manpower.
- IV. Liability and Duties of Peace Officers
  - A. Article 5.045 Code of Criminal Procedure - Standby Assistance; Liability
    1. Attorney General Opinion No. JC-0112, September 22, 1999, states that Article 5.045 was expressly intended to protect law enforcement officers who accompany victims of domestic (family) violence to their residences for collecting personal property after those victims have vacated the premises. The opinion states that the police shall not escort the perpetrator of family violence, to or near the residence because it is not contemplated by article 5.045 and may violate the terms of the protective order.
    2. Neither Article 5.045 nor the AG opinion addresses removal or retrieval of children, only the property of a child in the care of the victim of family violence. Unless otherwise required by law, Mesquite police officers will not intervene in the removal of children from the premises. An exception may occur in a case where the victim's departure from the premises immediately preceded their request for help from the police, their departure was a result of them leaving to

escape imminent harm, and the intervention is approved by a command level officer or a supervisor.

- B. Title 4, Family Code – All Chapters
  - 1. Chapter 86 Law Enforcement Duties Relating to Protective Orders
    - a) Section 86.003. Court Order for Law Enforcement Assistance Under Temporary Order (Ex Parte)
    - b) Section 86.004. Court Order for Law Enforcement Assistance Under Final Order
    - c) Section 86.005. Protective Order From Another Jurisdiction (Foreign Order)
  - 2. Chapter 88 Family Code
    - a) Chapter 88. Uniform Interstate Enforcement of Protective Orders Act (selected law enforcement related portions)
    - b) Sec. 88.004. Non-judicial Enforcement of Order.
    - c) Sec. 88.006. Immunity.

V. Court Orders

The listed court orders are those generally encountered by police officers in the course of their duties in connection with civil standby, court ordered law enforcement assistance and related activities.

- A. Peace Bond: A peace bond is an order issued by a Justice of the Peace providing for a monetary fine to the named party who fails or refuses to comply with the order. It is criminally enforceable only after the Justice of the Peace issues an arrest warrant for failure to comply with the order.
- B. Restraining Order: A restraining order is an order issued by a County or District Court Judge directing the named party to comply with the terms of the order. It is criminally enforceable only after the issuing Judge issues an arrest warrant for failure to comply with the order.
- C. Protective Order: A protective order is an order issued by a County or District Court Judge, or, in the case of an Emergency Protective Order, a Magistrate as defined in §2.09 of the Code of Criminal Procedure, directing the named party to comply with the terms of the order. The law requires copies of protective orders be sent to the chief of police in the municipality where the protected person resides.
  - 1. Temporary (Ex Parte) Order: A temporary ex parte order is an order made by a court upon finding there is a clear and present danger of family violence and is made without further notice to the alleged violator and without a hearing. A temporary ex parte order is criminally enforceable if the order has been served.
  - Final Protective Order: A court makes a final protective order after conducting a hearing on an application for protective order. A final protective order is criminally enforceable under Chapter 25 of the Penal Code. The order may prohibit a person from taking specified actions relating to persons or property, award a party use and possession of specified property, give exclusive possession to a party and direct one or more parties to vacate a residence and make orders concerning the parent -child relationship. A protective order is valid for the period stated in the order not to exceed two years unless the court subsequently orders expiration on an earlier date. If the person to whom the order applies is confined or imprisoned on the expiration date of the order the order shall continue to be effective until the first anniversary of the individuals release from confinement or imprisonment.
  - 2. Emergency Protective Order: An emergency protective order (CCP 17.292) is criminally enforceable. The order is issued by a Magistrate to a defendant who has been arrested (and is still incarcerated) for family violence or stalking (PC 47.072). The order is valid for at least 31 days not to exceed 61 days after

issuance. To the extent that a condition imposed by an emergency protective order conflicts with an existing court order granting possession of or access to a child, the provisions of the emergency protective order prevail for its duration.

D. Court Order for Law Enforcement Assistance.

1. Temporary Ex Parte Protective Order: Excludes the respondent from the residence covered by the order and orders the sheriff, constable or chief of police to provide a law enforcement officer to accompany the applicant to the residence covered by the order, inform the respondent that the court has ordered that the respondent be excluded from the residence, protect the applicant while the respondent vacates and the applicant takes possession of the residence, and protect the applicant if the respondent refuses to vacate the residence while the applicant takes possession of the applicant's personal property.
2. Final Protective Order: Same as the Temporary Ex Parte Protective Order, except if the respondent refuses to vacate the residence, the law enforcement officer is ordered to arrest the respondent for violating the court order.  
With either the Temporary Ex Parte Order or the Permanent Order, the respondent who vacates the residence may take their necessary personal property.

E. Foreign Protective Order: A protective order issued by a court or agency of a state other than Texas.

VI. Procedural Guidelines

On any civil standby the primary role of Mesquite police officers is to prevent violence and preserve the peace. These guidelines are designed to provide a foundation to ensure continuity of civil standby activities. While other factors may arise, these steps will provide the groundwork for civil standby response.

A. Non-Court-Ordered Civil Standby

This procedure assumes that there is no emergency protective order, final protective order or foreign protective order prohibiting the non-requesting party from going to or near the residence of the requested civil standby. In such an instance, the non-requesting party who is at or near the residence may be arrested for violation of the emergency or final order. Arrest under a Foreign Order will need to be determined by the content of the order. In addition, this procedure further assumes that there is no court order for law enforcement assistance affecting the parties as defined in Section V.D. and discussed in Section VI. B.

1. Upon receipt of a request for civil standby, a determination as to whether or not the requested civil standby is necessary shall be made in accordance with the Policy set forth in section III. B. of this Directive.
2. If it is determined that the police department cannot assist the person requesting civil standby ("the requestor"), the officers should, in a sympathetic, courteous and considerate manner, explain to the complainant why the request must be denied.
3. If it is determined that a civil standby is necessary, two officers, (one of whom shall be the primary officer), shall meet with the requestor at a location other than the location of the requested civil standby ("the location"). The officers will then accompany the requestor to the location.  
Upon arrival at the location, while the requestor waits off the property, the officers will attempt to meet separately with the person at the location ("non-requesting person"), to explain why the police have responded to the situation.
4. If the non-requesting person agrees to allow the requestor to enter the property to take custody of personal property and/or children, the officers will stay at the location while the requestor enters and retrieves the necessary personal property and/or children. The officers shall not attempt to assist the requestor with the

retrieval. In addition, the officer shall not assist in making any decisions regarding the ownership or division of property.

5. Mesquite police officers will not assist a complainant in gaining forced entry into any premises. Mesquite police officers will allow the exchange of property or custody of children only if all relevant parties agree to the exchange.
6. Should the non-requesting person, owner or person in charge of the premises refuse to agree to the retrieval of children or property from the premises and ask/order the officers to leave, the officers will leave and advise the requestor to also leave the premises.
7. If a disturbance erupts or an assault occurs, the situation will be treated in the same manner as if the officers were dispatched to a disturbance call.

**B. Court Ordered Law Enforcement Assistance.**

1. When the department is contacted by an applicant in possession of a protective order that orders the Chief of Police to provide a law enforcement officer to accompany the applicant to the residence covered by the order, a police supervisor will inspect the order to verify its validity. Validity shall be determined by accessing the department's information relating to protective orders sent to the department by the clerk of the issuing court, contacting the court directly or where appropriate, determining the validity on the face of the order.
2. Once the validity of the order has been ascertained, two officers will be assigned to meet with the complainant and proceed as follows:
  - a) Temporary (Ex Parte) Protective Orders
    - (1) The police officers will meet with the applicant, preferably at a location other than the one named in the order. The officers will explain to the applicant in a professional, unbiased and courteous manner that while they will accompany the applicant to the location on the order and take all required actions, the order is not criminally enforceable.
    - (2) In accordance with the requirements of Section 86.003 of the Family Code, the officers will accompany the applicant to the residence covered by the order. The officers will make every attempt to meet with the respondent separately and will inform the respondent that the court has ordered that the respondent be excluded from the residence. If the respondent agrees to vacate the residence, the officers will provide protection to the applicant while the applicant takes possession of the residence. If necessary, the respondent will be allowed a reasonable amount of time to take possession of necessary personal property prior to vacating the residence. In a professional, unbiased and courteous manner, the respondent will be informed to obtain legal representation to assist in determining his right to remove other items left in the residence. If the respondent refuses to vacate the residence, (except in an instance where the respondent asks/orders the police officers to leave the property), the officers will provide protection to the applicant while the applicant takes a reasonable amount of time to remove necessary personal property from the residence. The applicant will be informed in a sympathetic, courteous and considerate manner that no enforcement action will be taken and that the applicant should contact their legal representative or the issuing court about the respondent's refusal to abide by the court's order.

- (3) Should the respondent refuse to vacate the residence and asks/orders the officers to leave, the officers will leave and advise the applicant to also leave the premises. The applicant will be informed in a sympathetic, courteous and considerate manner that no enforcement action will be taken and that the applicant should leave the residence and contact their legal representative or the issuing court about the respondent's refusal to abide by the court's order.
  - (4) Should a disturbance erupt or an assault occurs, the situation will be treated in the same manner as if the officers had been dispatched to a disturbance call.
- b) Final Protective Orders
- (1) Two police officers will meet with the complainant, preferably at a location other than the one named in the order.
  - (2) In accordance with section 86.004 of the Family Code, Mesquite police officers will accompany the applicant to the residence covered by the order. The officers will inform the respondent that the court has ordered that the respondent be excluded from the residence. The officers will provide protection to the complainant while the complainant takes possession of the residence and the respondent takes possession of the respondent's necessary personal property. The respondent will be allowed a reasonable amount of time to remove necessary personal property. If the second party refuses to vacate the residence, the officers will remove and arrest that party for violating the court order.


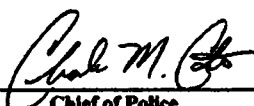
EFFECTIVE: February, 2002; FORMERLY: 223.50; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>224.00 UNDERCOVER/PLAIN CLOTHES OPERATIONS</b>
	<b>Effective Date: January, 2019</b>
	<b>Approved:</b>  Chief of Police

### Preface

Undercover and Plain Clothes operations are a vital part of modern police enforcement techniques, whether applied in traditional form to drug and vice investigations, or more recently, as adjuncts to conventional investigative procedures, with wide applications in such diverse offense categories as Burglary/Theft or Youth-Related Crime.

Undercover investigations, while extremely effective, are also fraught with inherent dangers and unique management difficulties; negative factors mitigated only by meticulous planning, carefully-reasoned operational decisions and an obsessive preoccupation with safety on the part of all officers involved. It shall be the policy of the Mesquite Police Department to conduct Undercover Operations in such a manner as to ensure the safety of police officers, criminal suspects and the public at large. These investigations shall be conducted in strict compliance with all local, state and federal laws, and in a manner consistent with the Articles of the Mesquite Police Department Code of Conduct. The Undercover Operations section of this General Order is a condensed version of the Mesquite Police Narcotics Policy and Procedure Manual, the creation of which is herein enabled and mandated by this Order.

### I. Definitions

- A. Undercover Operation: Any contact between a police officer acting in an undercover capacity and a criminal suspect or potential informant.
- B. Buy Bust Operations: Any undercover contact likely to result in the arrest of a criminal suspect by, or in the presence of, an undercover police officer; this definition also includes arrests for Class C or other misdemeanors (prostitution, public lewdness, gambling, etc.).
- C. Reversal Operation/Sting Operation: The purported delivery of drugs or other contraband to a criminal suspect by an undercover police officer, and the resulting arrest of this suspect.
- D. Plain Clothes: Any operation that involves police officers wearing any clothing other than a standard issue police uniform while performing a surveillance, investigation, patrol or special assignment.

### II. Undercover Operations

- A. No drug buy, undercover contact, controlled informant buy or any other enforcement activity involving police officers acting in an undercover capacity shall occur without the knowledge of the Narcotics Unit Supervisor, or in his absence, the Narcotics Unit Lieutenant; absent these, the Crimes Against Persons Supervisor or the Assistant Chief of Police shall be so informed.
- B. Buy-Bust Operations or any situation likely to result in the immediate arrest of a suspect by, or in the presence of, an undercover police officer will require the presence of the Narcotics Unit Supervisor or the Tactical Unit Supervisor. Should these Supervisors be unavailable, in unusual circumstances such operations may be supervised by any CID Bureau Supervisor with the consent of the CID Bureau Commander. No Reversal or "Sting" operation shall be conducted in the absence of the Narcotics Unit Supervisor or the Tactical Unit Supervisor.
- C. It shall be the responsibility of the Narcotics Unit Supervisor to notify the Narcotics Unit Lieutenant, or in his absence the CID Bureau Commander, of any buy-bust operation,

search warrant execution or other enforcement activity attended by a high degree of risk. Such notification will be made by the Tactical Unit Supervisor in the absence of the Narcotics Supervisor.

D. Officers likely to become involved in undercover operations shall not do so until such time as they have received training in undercover officer safety, techniques, ethics and relevant case law, including instruction in informant handling and case preparation.

E. Undercover Operations will be conducted only if:

1. The officer has been trained in accordance with Section III (A).
2. The operation is supported by additional personnel
3. The operation is conducted under the direction of a supervisor.

F. Prior to working in any undercover capacity, officers must receive formal training in undercover safety and surveillance techniques.

G. Under no circumstances will an undercover officer engage in any of the following activities without "cover",

- 1.
- 2.
- 3.

H. Out Of City Undercover Operations: All undercover operations resulting in immediate arrests (such as "buy-bust") which occur outside the City of Mesquite require notification of the law enforcement agency having general police jurisdiction prior to the execution of such an operation. It must be noted that simple "notification" is a minimum requirement; as a matter of policy, an attempt should be made to secure a representative from this agency who will be present during the arrest, insofar as it is practicable given operational exigencies.

I. MPD Operational Liaison: It shall be the responsibility of the narcotics supervisor to make proper notifications to other MPD Bureaus when undercover operations are likely to impact on the normal activities of these Bureaus. Patrol Watch Commanders, for example will be notified of all "buy-bust", or other operations resulting in arrests, occurring within the City of Mesquite.

J. Conduct of Undercover Officers:

The very nature of undercover work places police officers assigned to these duties in close proximity to the illegal actions of other persons; to perform effectively, in fact, the officer must convince suspects that he or she is a lawbreaker, without violating the law. It is because of this chronic proximity to unlawfulness that the undercover officer must possess an unambiguous, inviolate conception of his own professional ethics and responsibility to the community.

Aside from their statutory connotation "unethical" or "illegal" conduct also includes:

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- 2.
- 3.

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III. Plain Clothes Operations

A. Any plain clothes or undercover operation performed by any officer not permanently assigned to the Criminal Investigations Division must have prior approval by the Assistant Chief of Police over the officer or unit performing the operation.

B.

C.



Prior to working in any plain clothes capacity, officers must receive formal training in plain clothes safety and surveillance techniques.

D.

Officers working plain clothes deployment shall not engage in any type of undercover or covert operation. Plain clothes deployment officers are not undercover officers and should not engage in undercover operations. This does not prevent plain clothes officers from assisting the undercover units with surveillance and/or arrest of potential suspects.

EFFECTIVE: September, 1990; REVISED: January, 1992; FORMERLY: 225.00; REVISED: January, 1996; REVISED: July, 2000; REVISED: January, 2019



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>224.50 EXPENDITURE OF FUNDS IN CRIMINAL INVESTIGATIONS</b>
	<b>Effective Date: March, 1997</b>
	<b>Approved:</b>  Chief of Police



- I. The Mesquite Police Department Narcotics Section operates under a Standard Operating Procedure which defines the standards and procedures for covert operations. No employee shall engage in any covert operation except in compliance with that Standard Operating Procedure.
- II. No employee shall expend any funds for witness payments, covert purchases, informant fees, or rewards, or make other expenditures in connection with a criminal investigation except in compliance with the Narcotics Section Standard Operating Procedure and other applicable departmental policy.

EFFECTIVE: March, 1997

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>225.00 FORFEITURE OF CONTRABAND</b>
	<b>Effective Date: August, 2011</b>
	Approved:  Chief of Police

**Purpose:**

The purpose of this order is to establish procedures for the seizing of property subject to forfeiture under Chapter 59 of the Texas Code of Criminal Procedure titled FORFEITURE OF CONTRABAND.

**Policy:**

- A. It is the policy of the Mesquite Police Department to seize property which is subject to forfeiture under Chapter 59 of the Code of Criminal Procedure.
- B. The seizing of contraband property provides the criminal justice system, particularly law enforcement, with intense power and authority. The contraband seizure law is intended to be remedial in nature and not a form of punishment. While a portion of the proceeds gained from these seizures may support and assist the law enforcement effort, good judgment and discretion must be exercised.
- C. Each contraband seizure that is initiated will require a departmental review. The impending legal proceeding will result in expenses being incurred by the department. Court and legal costs, storage fees, appraisals, liens, and other related expenses could result in a liability to the department. Careful consideration should be given regarding any decision to seize property.

**I. Special Provisions**

**A. Currency**

- 1. One Thousand Dollar (\$1,000) minimum.  
A smaller amount of cash may be seized in instances where other property or vehicles are seized also.
- 2. Seized money should be counted by the seizing officer and one other employee, and sealed in an envelope. The money will be logged and deposited into the cash seizure drop box. Excessively large amounts of money may warrant immediate notification of the designated contraband seizure officer.
- 3. The contraband seizure officer will deposit the seized money in the designated bank account without delay.

**B. Vehicles**

- 1. No seizure should be attempted on any vehicle ten (10) years old or older, unless the conveyance has a minimum value of \$2,500. Case by case exceptions may be made based upon severity of the offense or involvement of the actor.
- 2. Vehicles that are to be seized should be taken to the police Seizure Lot. Vehicles that have been determined to be safe to drive may be driven to the Seizure Lot by a police officer. An impound sheet will be filled out on each vehicle, whether towed or driven. The vehicle hold section will be completed on the impound and a 72 hour hold will be placed on the vehicle on the impound system; this hold can be extended with the approval of a Bureau Commander.

**C. Personal Property**

- 1. Personal property seizures are limited to a \$1,000 minimum value.
- 2. Seized personal property (other than currency) should be transported and stored as per current policy regarding evidence and impounded property.

**D. Real Property**

- 1. No real property should be seized until the District Attorney's office has reviewed the evidence against the property and a title policy has been issued. The value of

- the property should be twice that of any mortgage, lien, or encumbrance.
2. A real property seizure will not be initiated until a thorough departmental review is conducted.

## II. General Provisions

- A. The officer initiating a seizure is responsible for forwarding seizure information to the supervisor of the Narcotics Section. The seizing officer will complete the following paperwork:
  1. Report of Seizure Form – This form will contain a schedule of the property seized, estimated value of the property, lien information, list of reasons for the seizure, and other related information.
  2. Personal Knowledge Affidavit – must include:
    - a) a notarized statement that the officer has seized the property,
    - b) a list of the officer's reasons for the seizure relating the property to a specific felony,
    - c) an attached schedule of seized property.
- B. The affidavit should establish a logical nexus between the property seized and the felony offense. Though the actions of the defendant are important, the true defendant in a forfeiture case is the property. Forfeiture actions are against property, not individuals.
- C. All affidavits for seizure contain common elements.
  1. The introduction is that of a personal knowledge affidavit. This language is standard and will be on all affidavits regardless of scenario. The affidavit must be made by a person with personal knowledge of the facts. This affidavit will be used in pretrial proceedings.
  2. Paragraph identifying affiant, employer, and perhaps stating affiant's experience.
  3. Body of affidavit which is a brief narrative of offense, which includes time and place of occurrence and how the property relates to the felony act.
  4. Brief paragraphs acknowledging the seizure of property, citing the schedule (A, B, C, etc.) which describes or lists the property, and stating affiant's contention relating the property to the felony charged. Property is subject to forfeiture if it:
    - a) Was used in the commission of: offense and degree. (non drug felonies)
    - b) Was used or intended to be used in the commission of: offense and degree. (controlled substance or dangerous drug offenses)
    - c) Is proceeds gained from the commission of: offense and degree. (proceeds of a or b above)
    - d) Was acquired with proceeds gained from the commission of: offense and degree. (proceeds of a or b above)
  5. Schedule of property seized – Types of property seized should be separated and listed on separate sheets labeled A, B, C, etc. For instance, if money is seized it must be broken down into denominations and the total listed. This document will be labeled Schedule "A". If in the same case two cars are seized, make a Schedule "B" and list both vehicles indicating vehicle year and make, state and license number, and the vehicle identification number. If in the same case other items were seized, make a Schedule "C" and list the items of assorted property seized.
- D. A well-prepared affidavit will allow the D.A. to file a Motion for Summary Judgment when circumstances allow. This situation can reduce the number of court appearances or conferences with the D.A.
- E. The Report of Seizure Form will be reviewed and approved by the Chief of Police prior to the filing of the seizure case.
- F. Within ten (10) days of the seizure, the supervisor of the Narcotics Section will prepare a "Dallas County D. A. Report of Seizure" to be filed with the Dallas County District Attorney's Office.





G. The contraband seizure officer will file the notice of seizure and intended forfeiture with the Dallas County District Attorney's Office, within thirty (30) days of the seizure.  
EFFECTIVE: September, 1990; FORMERLY: 226.00; AMENDED: May, 2002; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>226.00 ELECTRONIC EVIDENCE GATHERING</b>
	<b>Effective Date: January, 1992</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>



**Provisions:**

- I. Electronic devices used in the gathering of evidence shall be under the control of the Investigations Bureau Commander or designated representative.
- II. Electronic devices may be made available to other law enforcement agencies.
  - A. Requests from other agencies shall be approved or denied by the Chief of Police, or his designated representative.
  - B. Where authorization for use is granted to another agency, the responsible officer from that agency shall be thoroughly instructed on the operation of the equipment, and shall accept responsibility for all damages or losses.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: 76-23, E/84-23; REVISED: January, 1992; FORMERLY: 228.00; FORMERLY: 227.00

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>227.00 FTO TRAINING OFFICER PROGRAM</b>
	<b>Effective Date: December, 2013</b>
	Approved:  Chief of Police


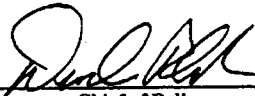
- I. The Field Training Officer Program will consist of four (4) phases of training. Each phase will be completed by every trainee officer graduating from the Basic Police Academy, unless otherwise ordered by the Chief of Police. The current Field Training Program Manual shall set forth the operational policies of the Field Training Program and deviation from the Field Training Program Manual shall be considered a violation of this order.  
 Exclusion of a trainee officer from any phase of training may take place only with the approval of the Chief of Police. This will only be considered in the event that:
  1. the newly appointed officer was employed as a police officer with a law enforcement agency immediately prior to his employment with the Mesquite Police Department; and,
  2. a public safety need exists which requires his expeditious release from the Field Training Program.
  3. Must be a minimum of four weeks long.
 No trainee officer may be excluded from Phase IV (Evaluation Phase) of the Field Training Program.
- II. The Field Training Program Manual requires that the FTO's and the Trainees utilize their limited time together in the most productive manner possible.
  - A. The FTO/Trainee team shall not be assigned to the following duties; Court Bailiff, prisoner transfers, car transfers, Desk/Jail relief, or Generalists calls outside their district.
  - B. This order does not prevent an FTO from requesting to be assigned any of the above calls for training purposes.
  - C. The Watch Commander may grant the FTO/Trainee team first preference of assignments or available districts in order to maximize the training experience.
  - D. The FTO's supervisor may grant the FTO/Trainee team to check out of service up to 45 minutes prior to the end of the regular shift, if needed, for a critique of the shift's activities. This time is to be used for a critique; it does not permit the officers to leave early if the time is not needed for its intended purpose. This order does not preclude an officer from being used in case of an emergency or a public safety need.
- III. FTO field training must be conducted by a designated field training officer who has completed a TCOLE approved field training course prior to assuming FTO responsibilities.
  - A. Every two years all field training officers will conduct a process review of field training subjects. The review will be documented and will include any changes in directives and procedures.
- IV. New officer training requirements.
  - A. While in the field training program a new officer must receive daily written evaluations. The evaluation will be reviewed by the new officer and the FTO before being filed.
  - B. Each new officer will rotate to at least one different shift during training.

EFFECTIVE: January, 1992; February, 1994; FORMERLY: 229.00; REVISED: January, 1996;  
 REVISED: March, 1997; FORMERLY: 228.00; REVISED: March, 2013; REVISED: December, 2013

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>228.00 DTO TRAINING OFFICER PROGRAM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">           Chief of Police       </div>


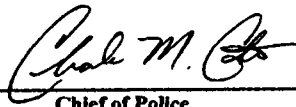
- I. The Detention Training Officer Program is divided into five phases covering approximately fourteen weeks. The current Detention Training Program Manual sets forth the operational policies of the Detention Training Program. Deviation from the Detention Training Program Manual must be approved by the Detention Training Sergeant.  
 Exclusion of a trainee detention officer from any phase of training will take place only with the approval of the Chief of Police. This will only be considered in the event that:
  1. The newly appointed detention officer was employed with a law enforcement agency immediately prior to his/her employment with the Mesquite Police Department; and,
  2. A public safety need exists which requires his/her expeditious release from the Detention Training Program.

No trainee detention officer may be excluded from the evaluation phase of the Detention Training Program.
- II. The Detention Training Program Manual requires that the DTO's and the Trainees utilize their limited time together in the most productive manner possible.
  - A. The DTO/Trainee shall not be assigned to the following duty: Expeditor at the Police Information Desk area.
  - B. This order does not prevent a DTO from requesting to be assigned the above duty for training purposes.
  - C. The Station Sergeant may grant the DTO/Trainee team first preference of assignments in order to maximize the training experience.
  - D. The DTO's supervisor may allow the DTO/Trainee team to check out of service up to 45 minutes prior to the end of the regular shift, if needed, for a critique of the shift's activities. This time is to be used for a critique; it does not permit the officers to leave early if the time is not needed for its intended purpose. This order does not preclude a detention officer from being used in case of an emergency or a public safety need.

EFFECTIVE: November, 1999; FORMERLY: 229.00; REVISED: August, 2011





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>229.00 BIAS BASED POLICING</b>
	<b>Effective Date: January, 2019</b>
	<b>Approved:</b>  Chief of Police

**I. Purpose**

The purpose of the policy is to reaffirm the Mesquite Police Department's commitment to unbiased policing in all its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

**II. Policy Statement**

It is the policy of the Mesquite Police Department to police in a proactive manner and aggressively investigate suspected violations of law. Officers shall actively enforce municipal, state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be tolerated.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

**III. Definitions**

- A. Bias based profiling – a law enforcement initiated action based on race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, national origin or any other identifiable group.
- B. Racial profiling – a law enforcement initiated action based on an individual's race, ethnicity or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling.
- C. Race or Ethnicity – Of a particular descent, including Caucasian, African, Hispanic, Asian/Pacific Islander, or Native American.
- D. Pedestrian Stop – An interaction between a peace officer and an individual who is detained for the purpose of a criminal investigation in which the individual is not under arrest.
- E. Motor Vehicle Stop – An occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

**IV. Training**



- A. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
  - B. All officers shall complete a TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.
- V. Complaints and Investigation
- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
  - B. Citizens who wish to file a complaint regarding an allegation of racial profiling against an employee of the department will be referred to the Station Sergeant. When the Station Sergeant is not available, citizens will be referred to any supervisor. Any employee contacted in regards to a racial profiling complaint shall provide to that person department information regarding the process for filing a complaint.
  - C. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.
  - D. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
  - E. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.
- VI. Public Education
- A. This department will inform the public of its policy against racial profiling and the complaint process. This information will be available to the public in the police department lobby and on the City of Mesquite web page. Additionally, information will be made available as appropriate in languages other than English.
  - B. Information relating to the complaint process will include the telephone number, mailing address, and email address used to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer.
- VII. Data Collection, Analysis, and Reporting
- A. An officer who stops a motor vehicle for an alleged violation of a law or ordinance shall record and report the following information related to the stop:
    - 1. A physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
      - a. the gender of the individual detained; and
      - b. the race or ethnicity of the individual detained (as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability);
    - 2. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
    - 3. The initial reason for the stop (i.e. warrant, observed traffic violation, call for service, known criminal association, etc.);
    - 4. Whether the officer conducted a search as a result of the stop and, if so, whether the person consented to the search;

5. Whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
  6. The reason for the search including whether;
    - a. any contraband or other evidence was in plain view;
    - b. any probable cause or reasonable suspicion that existed to perform the search; or
    - c. the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
  7. Whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of Penal Code, a violation of traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
  8. The street address or approximate location where the motor vehicle stop occurred;
  9. Whether the officer issued a verbal warning or a citation as a result of the stop; and
  10. Whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.
- B. Each officer who initiates a motor vehicle stop is required to complete the online traffic stop form documenting the required information prior the end of the tour of duty in which the stop was made.
- C. Annually, the motor vehicle traffic stop data shall be reviewed to identify any improvements to be made in practices and policies regarding motor vehicle stops.
- D. Not later than March 1<sup>st</sup> of each year, an annual report of the collected data will be completed and submitted to the Mesquite City Council and The Texas Commission on Law Enforcement (TCOLE). The report will include:
1. A comparative analysis of the information compiled to:
    - a. evaluate and compare the number of motor vehicle stops of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
    - b. examine the disposition of motor vehicle stops made by officers, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops; and
    - c. evaluate and compare the number of searches resulting from motor vehicle stops and whether contraband or other evidence was discovered in the course of those searches.
  2. Information relating to each complaint filed alleging that a peace officer employed by the agency has engaged in racial profiling.

### III. Use of Video and Audio Equipment

Each patrol officer will be equipped with a body worn camera and all law enforcement motor vehicles regularly used by Mesquite Police Department officers to make traffic stops will be equipped with an in-car video camera and transmitter-activated equipment. Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio will be recorded. This department shall retain the video or the audio of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this department shall retain the video and audio of the stop until final disposition of the complaint. Supervisors will ensure officers of this department are recording their traffic and pedestrian stops. Supervisors will randomly review video and audio to ensure compliance with this policy.

EFFECTIVE: January, 2002; FORMERLY: 230.00; REVISED: August, 2003; REVISED: August, 2011;  
REVISED: March, 2013; REVISED: December, 2013; REVISED: January, 2019

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>230.00 PATROL OBSERVATION PROGRAM</b>
	<b>Effective Date: May, 2017</b>
	<b>Approved:</b>  <b>Chief of Police</b>

**I. Policy Statement**

To establish procedures to help ensure the safety of observers who wish to observe patrol activity by accompanying an officer on patrol. This practice will be beneficial to both observers and officers who participate in the program. Both parties will gain a better understanding of police/public contacts, and both will be able to provide input toward positive ideas for improving the community. The policy of this department is to allow civilians to ride with on-duty patrol officers as observers. The procedures outlined below will regulate all aspects of when a civilian may ride in a patrol vehicle in an attempt to minimize any disruption to the patrol officer's obligations, and avoid undue risk to the civilian. Any deviation of this policy must be at the direction of the Chief of Police.

**II. Definitions**

- A. City of Mesquite Employee: Any paid employee of the City of Mesquite, Texas.
- B. Family Member: Parents, siblings, adult children, aunts, uncles, cousins, in-laws and grandparents of Mesquite Police Department employees.
- C. Federal Law Enforcement Officer: Criminal law enforcement officers of the United States Government, authorized to carry a firearm in the course of their duties during non-emergency conditions.
- D. Governmental Official: Elected members of the Mesquite City Council; the City Management Staff; Judges of Local, State and Federal Courts; elected members of the State and Federal Governments; County, State and Federal District Attorneys and their salaried assistants; Probation and Parole Officers; Prosecutors of the Mesquite Municipal Court; and elected members of the Mesquite Independent School District.
- E. Media Representative: Any media representative including both print and electronic media.
- F. Observation Coordinator: The Lieutenant of the Staff Support Bureau or in his absence, the Training Coordinator.
- G. Patrol Observation Program: A program developed by the Mesquite Police Department for the purpose of exposing citizens to police work in general and allow for greater governmental transparency.
- H. Patrol Observer: A person authorized to ride with a patrol officer for the purpose of observing. The observer is not an active participant in the patrol and they will receive no remuneration for their time.
- I. Peace Officer: As defined in Article 2.12 of the Texas Code of Criminal Procedure and are currently licensed by the Texas Commission on Law Enforcement.
- J. Spouse: Licensed or common law husband or wife of Mesquite Police Department employees.
- K. Weapon: As described by Chapter 46 of the Texas Penal Code.

**III. Who may engage in patrol observation.**

- A. Any citizen of the City of Mesquite who is 18 years of age or older and otherwise qualifies for the observation program under this directive.
- B. Any person who is employed in the City of Mesquite who is 18 years of age or older and otherwise qualifies for the observation program under this directive.
- C. Members of the Mesquite Police Department Citizens Police Academy Alumni Association.

- D. Employees of the City of Mesquite.
  - E. Government Officials.
  - F. Persons completing a Mesquite Police Department Internship who are 18 years of age or older.
  - G. Active peace officers from other jurisdictions or federal law enforcement officers.
  - H. Police applicants, with the approval of a command level officer in the Staff Support Bureau.
  - I. Members of the Mesquite Police Department Explorer Post who are 16 years of age or older and have completed the required training.
  - J. Media representatives, with the approval of the Mesquite Police Department public information officer.
  - K. Persons enrolled in an institute of higher education who in order to complete a course of study requests observation time to do research. This person must present a letter of introduction from the professor for whom the research is being completed.
  - L. Spouses or relatives of Mesquite police officers are eligible to ride as outlined in these guidelines. Spouses will not be allowed to ride with their officer spouse.
- IV. Duties of the Watch Commander or their designee:
- A. The civilian will sign a waiver prior to participation, and a new waiver will be signed for each observation. The Watch Commander will keep the waivers in a file in the watch commander's office.
  - B. Each patrol observer must sign a CJIS confidentiality agreement each time they observe. The Watch Commander will maintain the agreements in a file in the Watch Commander's office.
  - C. Request a government issued picture identification card from the observer. Make a copy of the identification and place it with the application.
  - D. Run the observer for warrants and criminal history on NCIC.
    - 1. When running criminal histories the purpose code is "C" with a notation of "civilian patrol observer".
  - E. Assign the civilian to an officer who has indicated a willingness to participate in the program.
  - F. If a governmental official or media representative requests a patrol observation the Watch Commander will notify his chain of command and the Public Information Officer of the request.
  - G. Ensure that proper procedures are followed.
- V. Duties of the officer
- A. The assigned officer will control the activities of the rider. Discretion must be used in order to provide safety and protection
  - B. The officer will require the rider to stay in the patrol vehicle if potential risk is anticipated. If deemed appropriate, the officer will drop the rider at a safe location and advise dispatch of that location.
  - C. If the rider does not obey all instructions, the officer will proceed to the Watch Commander's office as soon as possible.
- VI. Procedures- These procedures apply to persons who wish to observe an on-duty patrol officer.
- A. The potential patrol observer will make a request to the Observation Coordinator as to the date and time he/she wishes to engage in a patrol observation. The request should be made no less than 5 business days in advance of the requested date. The Observation Coordinator will contact the Watch Commander and have the request approved. In the absence of the Observation Coordinator, the civilian may direct the request directly to the Watch Commander for approval and future scheduling.
  - B. MCPAAA members will be allowed to observe for 10 hours each quarter. Interns, Explorers and persons conducting research are limited to a schedule approved by the

Observation Coordinator. All other observers will be allowed to observe for 10 hours each calendar year.

- C. Observers must wear conservative clothing, and must be clean and well groomed. Observers must wear a ballistic vest during the observation. A selection of ballistic vests will be kept in the patrol storage room for use by observers. Unacceptable attire includes:

1. Jeans
2. T-shirts
3. Any shirt advertising a product or business
4. Sandals
5. Shorts
6. Attire that has "POLICE" written on it that could cause citizens to believe they are being identified as a police officer
7. Black or camouflage military style clothing

- D. The person requesting the patrol observation may be declined or disqualified from participating for a number of reasons, including but not limited to:

1. The person does not possess government issued picture identification.
2. Wearing unacceptable attire.
3. The person has outstanding warrants of any type.
4. The person has a conviction of, is under indictment for, or is currently charged with any offense of a class A misdemeanor or above, or a similar type of conviction from another state or under the Uniform Code of Military Justice.
5. The person has been arrested for a crime involving sexual misconduct or moral turpitude.
6. The person has been arrested for a class B misdemeanor or above in the last 10 years.
7. The person has a history of family violence as the primary aggressor, has been arrested or convicted of family violence.
8. The person is a known associate of a convicted felon or criminal street gang member.
9. The person is a known member of, or associates with, any person or organization, association, or movement which advocates the commission of acts of force or violence to deny others their constitutional rights or which seeks to alter the form of government of the United States by unconstitutional means.
10. The person appears to be under the influence of a mind altering drug or gives the appearance of mental illness.
11. The Mesquite Police Department reserves the right to deny any person a patrol observation. If a supervisor denies a person an observation session, they shall submit a memo to the Chief of Police explaining the circumstances that lead to their decision.

## VII. Rules of Conduct for Patrol Observers

- A. The observer should follow instructions/directions as given by the officer. Failure to comply will result in immediate termination of the observation session.



- B. The observer will not:

1. Be allowed to operate police equipment, or handle any evidence or property unless instructed to do so by the officer.
2. Become involved in discussions with suspects, victims or witnesses or engage in any activity that could hamper an investigation.
3. Make known to any unauthorized person the identity of persons arrested, detained, confined in jail or suspected of any offense.

4. Be under the influence of alcohol or narcotics, or have the odor of an alcoholic beverage on their breath.
5. Carry any type of weapon as described by Chapter 46 of the Texas Penal Code, or convey the impression, or state to anyone that they are a police officer. Concealed handgun license holders are not exempt from the prohibition against the carrying of a firearm during an observation session.
6. Become engaged in any physical struggle unless instructed to do so by the officer in an emergency situation.

EFFECTIVE: August, 2003; REVISED: March, 2013; REVISED: May, 2017



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>231.00 MOBILE VIDEO CAMERA SYSTEM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">           Chief of Police       </div>


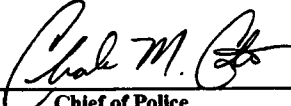
- I. Purpose  
The purpose of this directive is to establish guidelines for the proper use of the in-car video camera system and the procedures for retention and storage of the video and audio recordings.
- II. Policy  
Mobile video/audio equipment is provided to accomplish several objectives. These objectives include, but are not limited to:
  - A. The enhancement of officer reporting, evidence collection, and court testimony through audio/video documentation of events, actions, conditions and statements made during arrests and critical incidents.
  - B. To assist in compliance with laws concerning racial profiling.
  - C. To protect officers from false claims of impropriety.
  - D. To improve officer training and evaluation.
- III. Procedures
  - A. Basic Operational Guidelines
    1. All officers will be trained in the care, usage, and operation of the video and audio equipment prior to their use of the equipment.
    2. Officers will operate and maintain the video and audio equipment in accordance with the training and the operations manual.
    3. Officers shall ensure that their mobile video system is functioning properly during their in-service vehicle inspection. Any malfunction shall be immediately reported to a supervisor.
    4. Officers shall ensure that they have sufficient battery power on their microphone to record audio throughout their shift.
    5. In compliance with Section 2.135 of the Code of Criminal Procedure, every traffic and pedestrian stop that is capable of being recorded will be recorded with the equipment.
    6. Vehicle pursuits, code II responses, and code III responses shall be recorded with the video/audio system.
    7. No officer shall intentionally fail to record or attempt to block or obscure any video or audio of any event that is required to be recorded by this order.
  - B. Video and Audio Marking  
Officers shall properly mark their video and audio recording for evidentiary value as needed. i.e. chases, DWI, etc.

EFFECTIVE: December, 2003; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>231.50 USE OF BODY WORN CAMERA</b>
	<b>Effective Date: April, 2016</b>
	<b>Approved:</b>  Chief of Police

**I. Policy Statement**

The department has adopted the use of body worn cameras (BWC) to enhance our citizen interactions and provide additional investigatory evidence. The department recognizes that BWC images have a limited field of view and cannot always show the full story, nor do video images capture an entire scene. The use of body worn cameras does not reduce the requirement to provide thorough written documentation of an incident.

**II. Definitions**

- A. Body Worn Camera (BWC) – A recording device that is capable of recording, or transmitting to be recorded remotely, video or audio and is worn on the person of a peace officer.
- B. Law Enforcement Activity – any activity that is in furtherance of a law enforcement goal. These can include traffic stops, pedestrian stops, calls for service, follow up investigations, interviews, searches, crowd incidents, protests and arrests.
- C. Patrol Officers – any sworn officer wearing the class A uniform, class B uniform or a bike uniform while performing a law enforcement activity.

**III. Program Objectives**

- A. It is the intention of the Mesquite Police Department to utilize body worn cameras in a manner that is fair and equitable toward employees and citizens.
- B. The Mesquite Police Department has adopted the use of body worn cameras in order to accomplish several objectives. These objectives include, but are not limited to:
  - 1. Enhancement of department transparency to the public.
  - 2. Enhancement of officer safety.
  - 3. Enhancement of officer reporting, evidence collection and court testimony.
  - 4. Enhancement of officer training.
  - 5. Protection from false claims of impropriety.
  - 6. Provide accurate documentation of events, actions, conditions and statements made during arrests and critical incidents.
  - 7. Document the quality of service provided by police officers.
  - 8. Body worn camera recordings will be used for legitimate law enforcement purposes only and in accordance with applicable law and Departmental policies.

**IV. Procedures**

- A. All audio/video captured on a Mesquite Police Department BWC is the property of the Mesquite Police Department and are subject to departmental policies and applicable laws regarding viewing, release, retention and destruction.
  - 1. Prior to using a BWC, officers shall receive Department approved training on the proper operation and the Department's policy with respect to its use.
  - 2. BWC and related equipment is the responsibility of the individual officer and will be used with reasonable care to ensure proper functioning. Malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be assigned. Officers shall inspect their body worn camera prior to each watch to verify proper functioning and shall notify their supervisor of any problems.

3. In the event that a body worn camera is lost or damaged the officer shall immediately notify his/her supervisor.
4. Personnel will not remove, dismantle or tamper with any hardware and/or software component or part of a body worn camera unless otherwise authorized by the Chief of Police.
5. Officers will not edit, alter, erase, duplicate, copy or otherwise distribute in any manner body worn camera recordings without proper authorization.
6. Personnel will not make copies of any body worn camera file or screen shot for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record such.
7. Audio/video evidence will not be converted for personal use unless otherwise authorized by the Chief of Police or his designee. Accessing, copying, editing or releasing recordings or depictions of recordings without proper approval is strictly prohibited.
8. Officers assigned a body worn camera may use the camera at approved off-duty employment, but only in compliance with Department directives. Officers will download all evidence recorded during their off-duty employment no later than their next regularly assigned on-duty shift or when directed by a supervisor.
9. Non-department personnel shall not be allowed to review recordings unless approved by a command level officer. Recordings may be reviewed by other law enforcement agencies with supervisor approval.

**B. Officer Responsibilities**

1. Officers will request additional instruction as needed from a supervisor if they have questions relating to the correct operation of the equipment.
2. At the beginning of each shift officers will ensure:
  - a. That the BWC is charged and operational.
  - b. That the BWC is secured to their uniform as trained.
3. Prior to the end of each shift officers will ensure:
  - a. Video evidence is properly categorized for retention on the server. (Arrest, Pursuit, Citation, Offense, etc.)
  - b. That the camera is synced and docked for downloading video.
  - c. That they indicate in their offense/arrest reports and citations the existence of any body worn camera video.
4. Officers will inform their supervisor of any video that has significant evidentiary value.

**C. Supervisory Responsibilities**

1. Supervisors shall ensure that officers assigned a body worn camera utilize them in accordance with policy and procedure.
2. Supervisors will ensure videos related to critical incidents are uploaded to corresponding digital files and tagged for retention as soon as practical.
3. Supervisors may have the ability to resolve citizen complaints by reviewing video captured by an officer's body worn camera.
4. Supervisors, when reviewing video should look for training opportunities to enhance officer performance.
5. Minor infractions of policy or procedure will be handled as a training issue and supervisors should use the opportunity to counsel with employees to ensure no future violations occur.

**V. When and How to Use the Body Worn Camera**

**A. Patrol Officers will utilize the BWC in the following circumstances:**

1. Before any enforcement stop, pedestrian or vehicle, officers will activate the body camera upon exiting the police vehicle. An officer may activate the camera

any time prior to exiting the vehicle. If the BWC cannot be activated upon exiting the police vehicle, it will be activated as soon as practical and safe to do so.



2. On any call for service in which there is a confrontational contact with a citizen.
3. Officers may activate the camera while enroute to any call if they deem it necessary.
4. During non-vehicle pursuits (foot, bike, etc.) as soon as the officer can do so safely.
5. During vehicle pursuits in vehicles without in-car DVR systems, as soon as the officer can do so safely.
6. Upon arriving to all crime in progress calls as soon as the officer can do so safely.
7. When requesting and conducting a consensual search.
8. Before any planned or anticipated arrest.
9. During the inventorying of seized narcotics, money or any high value property.
10. When conducting the Standard Field Sobriety Test (SFST) or Drug Recognition Expert (DRE) test.
11. Any situation where the officer's training and experience causes him/her to believe the incident needs to be recorded to enhance reports, preservation of evidence and aid in subsequent court testimony.
12. Any time an officer deems necessary.
13. Officers are encouraged to review video recordings of incidents prior to writing any offense, arrest or incident report to ensure the accuracy and consistency of the report.
14. Any incident or contact that may result in an enforcement action being taken.

**B. When to deactivate the BWC**

1. The BWC should be deactivated during non-enforcement activities such as when protecting a traffic crash scene, or other incident that provides no evidentiary value.
2. The BWC should be deactivated in any situation where individuals have a reasonable expectation of privacy such as bathrooms and locker rooms, unless it is required to capture evidence for a criminal investigation.
3. Officers shall have the latitude to terminate a recording when there is no likelihood of anything else of evidentiary or law enforcement value occurring. It shall be deemed a violation of this policy for an officer to fail to activate the body worn camera or intentionally terminate a recording in order to commit a violation of department policy or law.
4. An officer may choose to discontinue a recording currently in progress for any non-confrontational encounter with a person, including an interview of a witness or victim.
5. Officers are not required to obtain consent from a private person when in a public place or in a location where there is no reasonable expectation of privacy. It is at the discretion of the officer to determine if they want to announce a recording is occurring.
6. When in a private residence in an official capacity, officers are not required to advise the resident they are recording.
7. An officer, when using discretion in determining when to record in a private residence should take into consideration a reasonable expectation of privacy of the homeowner. This is not intended to inhibit the appropriate recording of a call by officers.

8. If an officer fails to activate the BWC or fails to record the entire contact on an in-progress or enforcement related call, the officer shall document the reasons in notes of the call sheet, offense report or arrest report.
- VI. Prohibited use of BWC Equipment
- A. When on break or otherwise engaged in personal activity.
  - B. During administrative investigations.
  - C. Images of undercover officers who at the time of the recording are working in an undercover capacity. Confidential informants will not be recorded, unless requested by the undercover officer or their supervisor in the furtherance of an investigation.
  - D. During any work related meetings, details or conversations of fellow employees without their knowledge during non-enforcement related activities.
  - E. Any personal conversations of or between another department member or employee without the recorded member/employee's knowledge and permission.
  - F. Officers will use only the department issued body worn camera.
- VII. Retention, Storage and Handling of Videos
- A. Public Information Act requests for videos will be handled in accordance with Chapter 552 of the Texas Government Code and departmental procedures.
  - B. Members of the public can request copies of BWC video's if they provide all of the following information. (1701.661 Texas Occupation code)
    1. The date and approximate time of the incident.
    2. The specific location of the incident.
    3. The name of one or more persons involved in the incident.
  - C. All video will be maintained for a minimum of 90 days. If the video has not been categorized as one which is to be retained it will automatically be deleted after 90 days.
  - D. Video recording hardcopies will only be created for official reasons, to include:
    1. Criminal evidence.
    2. Public Information Act (Open Records) requests.
    3. Internal Affairs Division requests.
    4. Approved Training Section requests.
    5. Other if approved by a command level officer.
  - E. BWC recordings will not be provided to anyone outside of the Mesquite Police Department unless the recording is
    1. Requested through the proper Public Information Act request process.
    2. Released with the approval of the Chief of Police; or
    3. Released by the designated public information officer. For the purposes of Occupations Code sec. 1701.659 (a), the designated public information officer has departmental permission to release BWC videos.
  - F. The attorney general will determine the fee for providing duplications of videos for Public Information Act requests.
  - G. It will be the responsibility of the City of Mesquite Information Technology Department to store all BWC videos on a secure server with an appropriate backup.
  - H. During any administrative or criminal investigation the person conducting the investigation shall allow any involved employees to review video of the incident captured by BWC equipment before the employee is required to make a statement about the incident.
  - I. Copies of recordings not involving pending criminal action, civil litigation or internal investigations may be used for training purposes with the approval of a Sergeant.

EFFECTIVE: April, 2016

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>232.00 PROBLEM ORIENTED POLICING (P.O.P.) PROGRAM</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Purpose**

The purpose of the Problem Oriented Policing Program (P.O.P.) is to ensure that police resources are directed towards areas where they will be most effective and to ensure that areas where on-going criminal activity has been identified are properly addressed by the police department.

**II. Policy**

The Mesquite Police Department strives to maintain a proactive policing approach and will attempt to immediately intervene in problem areas before more serious crimes occur. The P.O.P. program is part of this effort to proactively deal with crime.

A. Use of P.O.P. – There are numerous ways in which the P.O.P. program may be used to benefit the citizens of Mesquite. Examples of how P.O.P. may be used include, but are not limited to:

1. Watching specific locations where there is reason to suspect that criminal activity is taking place (such as "drug" or "gang" houses).
2. Saturating an area with police presence to deter criminal activity in situations where crime is likely (such as rumored fights at schools or sporting events).
3. Providing increased patrol in areas that have had an unusually high incidence of crimes (such as numerous robberies or burglaries in an area) and/or valid citizen complaint.
4. Providing increased police presence around sensitive locations during times of heightened alert (such as critical facilities that may be targeted for attack).

B. Activation of a P.O.P. Operation– The Mesquite Police Department is committed to treating all people in a fair and equitable manner. The P.O.P. program will target criminal activity and will focus on the cessation of criminal activity through either voluntary compliance or arrest. P.O.P. activity will only be conducted to deter or detect criminal violations. The P.O.P. program will never be activated for a personal vendetta or because of someone's views or opinions.

1. Any officer who believes that P.O.P. should be activated for a particular purpose should contact the Intelligence Section, P.O.P. Lieutenant or their immediate supervisor with proper justification. The Intelligence Section or P.O.P. Lieutenant will determine the validity of the complaint and if it is determined that sufficient cause exist then P.O.P. will be activated.
2. All recommendations to activate P.O.P will be supported by the facts that led to that recommendation. Some facts that could be considered include, but are not limited to:
  - a) The information that suggests criminal activity is ongoing at the location. (Sources of information, etc.)
  - b) The number of times the police department has responded to the location for complaints within the recent past.
  - c) The impact the behavior is having on the community.
  - d) The potential consequences of the activity.
  - e) The likelihood that we can successfully address the problem with P.O.P.
3. The decision to activate P.O.P. will be based on the totality of the circumstances presented.

C. Implementation of P.O.P. – Once a P.O.P. location has been identified, the P.O.P.



Lieutenant will ensure that personnel are assigned the P.O.P operation and that they are completing all associated documentation and intranet entries.

If a residence is selected for P.O.P. enforcement, and if circumstances permit, the resident may be contacted and given the opportunity to correct their behavior prior to the implementation of P.O.P.

- D. Termination of P.O.P operation. – A P.O.P. operation will be terminated when the issues that led to the P.O.P have been resolved. The P.O.P Lieutenant or Intelligence Section will make the final determination as to whether or not a P.O.P. operation should be terminated.

EFFECTIVE: March, 2004; FORMERLY: 232.00; REVISED: August, 2011



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>233.00 ALARM RESPONSE</b>
	<b>Effective Date: March, 2013</b>
	Approved:  Chief of Police

**I. Policy Statement**

The purpose of this directive is to establish within the Mesquite Police Department policies and procedures regarding alarm responses and the installation, operation, maintenance and control of the Wave Alarm System, as well as to set forth guidelines for police personnel who monitor the radio transmissions of the wave units and the police officers who respond to these calls.

The policy of the Mesquite Police Department is to utilize Wave Alarm Systems in certain locations that may be susceptible to particular types of criminal activity.

**II. Procedures**

**A. Burglary and Medical Alarms Response:**

1. Officers should take reasonable safety measures when responding to burglary alarms as identified in their training.
2. Officers should not disregard their cover unit. If officers arrive on scene and determine a cover unit is not needed, they may disregard the other officer after they have made an assessment on the validity of the alarm.
3. Response to alarms will be in accordance to current General Order 201.00 Operation of Emergency Vehicles.
4. Officers should follow current departmental training while clearing a residence or building. Officers should not search a building alone.
5. Dispatchers shall send the Fire Department when a medical alarm has been received. Officers shall respond to all medical alarms unless the Fire Department has disregarded them.

**B. Wave Alarms**

**1. Operation of Wave Alarms**

- a) The design concept of the Wave Alarm System lends itself to be used both as a robbery alarm and as a burglar alarm. The alarm, once actuated, broadcasts a pre-recorded message over the Mesquite Police radio frequencies.
- b) The installation and actual operation of each alarm unit will be under the direct supervision of the Operations Bureau. Only employees that have been trained in the use of the alarm will be permitted to install, operate and/or test the units.
- c) The removal or rotation of the alarm units will be the responsibility of the Operations Bureau.

d)

e)

**2. Request for Placement of Alarms**

- a) All police personnel may request an alarm be placed in a specific location by submitting a written request through the chain of command to the Operations Bureau.
  - b) Placement of the Wave Alarm System will be based upon statistical analysis and specific information relating to high-risk locations.
- 3. **Records and Maintenance**
  - a) The Operations Bureau shall keep a complete written history of each alarm unit including but not limited to:
    - (1) All locations where the alarm has been placed.
    - (2) The reason the unit was removed from the locations.
    - (3) The date and time the unit was placed and removed, and also the results of the placement.
    - (4) Maintenance performed on the unit.
    - (5) The current location of all units.
    - (6) Any problems incurred by employees or special equipment problems due to type of building or location.
    - (7) Any and all alarm malfunctions and their causes.
  - b) The Operations Bureau, in order to keep the necessary records, must receive copies of all Alarm Call Sheets pertaining to any actions caused by a Wave Alarm System Unit. As well as for other alarms, the call sheet must reflect what actions were taken. If it is a false alarm, the call sheet must show, if possible what caused it, such as human error, equipment malfunction or any other contributing factor. This information is vital if false alarms are to be kept to a minimum.
  - c) Any unit that has malfunctioned will be removed from service until it can be determined what caused the malfunction. The unit will be repaired and certified for return to service.
  - d) A current file of alarm placements shall be kept in the Communications Center, the Field Supervisors office and on the police department intranet. The responsibility for keeping the file current will be that of the Operations Bureau. There will be no radio conversation as to the location of a unit, except to give out a call.
- 4. **Wave Robbery Alarm**
  - a) There are two basic types of triggering devices used in robbery situations. The "Panic Button" is a tripping device utilizing a button to be depressed by a store employee as the robbery takes place. The second device is a "Bill Trap" in which bait money is placed in the cash drawer. The tripping of either device will cause the alarm to broadcast its pre-recorded message.
- 5. **Wave Burglary Alarm**
  - a) There are several tripping devices that may be used to trigger the Wave Alarm System while in a burglary installation, including, but not limited to, pressure mats, magnetic door trips, trip lines and motion sensors. The type of device used will depend upon the type of business or building to be protected.

C. **Robbery Alarm Response**

1.

2.



3.

4.

5.

EFFECTIVE: November, 2007; REVISED: August, 2011; REVISED: March, 2013



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>234.00 SEQUENTIAL PHOTOGRAPHIC LINEUPS AND FIELD IDENTIFICATIONS</b>
	<b>Effective Date: March, 2013</b>
	Approved:  Chief of Police

# **I. POLICY STATEMENT**

Eyewitness identification is a frequently used investigative tool. This policy is designed to maximize the reliability of identifications, minimize unjust accusations of innocent persons, and to establish evidence that is reliable and which conforms to established legal procedure.

# **II. DEFINITIONS**



- A. Sequential Photographic Lineup - photographs of the suspect and fillers are shown to the witness one at a time. When a photograph is shown to the witness it must be removed before showing a subsequent photograph.
- B. Double Blind - The person presenting the lineup to the witness does not know the identity of the suspect.
- C. Field Identification (Show-Up) - Taking an eyewitness to the location of a detained suspect within a short time period (one hour) of the commission of the incident being investigated.

# **III. PROCEDURES**

- A. In preparing a sequential photographic lineup the officer shall:
  1. Number each photograph.
  2. Place only one suspect photograph in each sequential photographic lineup.
  3. Select at least 5 fillers (non-suspects) and maintain identifying information on the fillers. Always make sure the suspect's photograph does not stand out.
  4. When multiple photographs of the suspect are available choose a photograph that resembles the suspect's description at the time of the offense.
  5. Cover all portions of the photographs that have any type of identifying information visible.
  6. The maximum number of times the sequential photographic lineup may be shown to a witness is twice.
  7. Preserve the sequential photographic lineup along with complete information about the identification process including the order of presentation.
  8. When showing a new suspect where sequential photographic lineups have previously been shown, do not use the same fillers from previous sequential photographic lineups.
  9. If the witness is unable to read, arrange for an independent administrator to read the Photographic Line-Up Identification Form to the witness. If the witness is not proficient with the English language, an interpreter should be used to translate the form in the language of the witness. If the witness is deaf and unable to read, a sign language interpreter should be used to interpret the form to the witness.
  10. A photographic lineup will be shown using the double blind sequential method and should be audio/video recorded.
- B. When presenting a sequential photographic lineup the blind administrator shall:
  1. Provide the witness with the Photographic Lineup Identification Form.
  2. Confirm that the witness understands the Photographic Lineup Identification Form and the nature of the photographic lineup procedure.
  3. Avoid statements or actions that may influence the witness's decision and advise the witness that the suspect may or may not be in the lineup.
  4. When an identification is made the complete series of photographs must be shown.
  5. Record any identification results and complete the witness' confidence statement.
  6. The investigating officer will not be present during the identification process.
- C. Document in writing the photographic lineup procedures including:

1. Names of all persons present at the showing of the sequential photographic lineup.
  2. Date, time and location of the sequential photographic lineup presentation.
  3. Record both positive identifications and non-identifications in writing.
  4. Ensure the witness signs and dates the Photographic Lineup Identification form.
  5. Ensure no materials indicating previous results are visible to the witness.
- D. Conducting Field Identifications (Show-Ups):
1. Field Identifications should only be conducted when it is not practical or possible to conduct a sequential photographic lineup. When a legal reason to make an arrest exists there is no need to conduct a field identification.
  2. Obtain and document an accurate description of the person who committed the offense being investigated.
  3. An on-duty supervisor with knowledge of the incident being investigated must approve the field identification. The field identification should be conducted within a reasonable amount of time of the incident being investigated, generally less than one hour.
  4. Witnesses who are viewing the suspect(s) shall read or be read the Field Show-up Identification Form. The officer who is conducting the Field Identification should avoid statements or actions that may influence the witness's decision and should advise the witness that the suspect may or may not be the person in the field show-up.
  5. It is recommended to record (utilizing the in-car audio/video system) the witness being given the written instructions, the viewing of the suspect and the results of the viewing. Officers shall use the steps currently in place for the preservation of evidence from the in-car audio/video system.
  6. The witness shall be transported to the location of the detained person. A witness should not view the suspect in a patrol car. Remove the suspect from the patrol car and when reasonably safe, remove the handcuffs.
  7. When there is more than one witness they should be separated and prevented from speaking about the details of the incident. When one witness makes a positive identification and probable cause and legal requirements are met for an arrest, a double-blind sequential photographic lineup should be presented to the other witness(es).
  8. When identification is made the witness must complete the confidence statement form. When a confidence statement form cannot be written, ensure the witness' verbal statement is recorded on an in-car audio/video system.
  9. If identification is not made the officer shall document non-identification in the officer's notes section of the Field Identification form.

EFFECTIVE: August, 2011; REVISED: March, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>235.00 PATROL RIDE OUTS</b>
	<b>Effective Date: July, 2016</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

It is the policy of the Mesquite Police Department that every sworn officer will ride-out on patrol for a minimum of twenty (20) hours per calendar year and work in the capacity of a line-level officer.

**II. Purpose**

The purpose of this policy is to ensure that every Mesquite police officer is capable of effectively performing patrol duties and remains aware of current policies, trends, technologies and issues involved in working as a patrol officer.

**III. Definitions**

For the purposes of this policy, the following definitions shall apply:

**Officers** - Refers to all sworn personnel who are subject to this policy, regardless of rank, unless otherwise stated.

**Partner** – Any on-duty officer who is regularly assigned to patrol.

**Ride-out** – Time spent working a beat in patrol by an officer not normally assigned to patrol, whether working alone or with a partner.

**IV. Procedures**



- A. Officers and sergeants who are regularly assigned to patrol shall be exempt from completing a ride-out as their regular assignment is deemed to meet the requirements of this policy. All other sworn officers shall be subject to this policy, regardless of rank or assignment.
- B. Bureau Commanders will ensure that each officer within their bureau schedules and completes the entire patrol ride-out requirements each calendar year. Officers may choose to complete the 20 hours in consecutive days, or over a series of smaller blocks of time so long as the entire 20 hours are completed each year.
- C. Officers shall have the option of completing their patrol ride-out with a partner, riding alone or a combination of both.
- D. Officers will contact the Watch Commander no fewer than 24 hours prior to their scheduled ride-out date to be assigned a shift on which to work. If the officer chooses to ride with a partner, the Watch Commander will assign the officer to someone who is available.
- E. Working as (or riding with) a supervisor, mall patrol, Impact officer or any assignment other than a regular patrol beat during ride-out time is not permitted unless approved by the Patrol Bureau Commander.
- F. Two officers who are both on ride-out time will not ride together.
- G. Overtime and compensatory time will not be credited as part of the ride-out program. Ride-out time should generally be off-set against regular working hours. However, officers required to perform ride-outs are not prohibited from signing up for existing patrol overtime and applying the overtime hours worked toward the 20 hour ride-out requirement, with prior approval from their bureau commander. Officers who wish to work overtime and have the hours applied to their patrol ride-out requirement shall not ride with a partner.
- H. All officers subject to this policy shall attend annual training which will include a refresher course in electronic programs commonly used by patrol officers and a review of any other pertinent procedural updates necessary to perform patrol duties. This

training shall be completed prior to the officer's patrol ride-out. The length, content and scheduling of the training shall be determined by the Training Division.

- I. Any officer who transfers from Patrol to a non-patrol assignment shall be exempt from the patrol ride-out requirement for the calendar year in which the transfer occurred.

EFFECTIVE: August, 2011; REVISED: April, 2012; REVISED: May, 2016; REVISED: July, 2016



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>236.00 TRAFFIC ENFORCEMENT OPERATIONS</b>
	<b>Effective Date: December, 2016</b>
	<b>Approved:</b>  Chief of Police

**I. Policy Statement**

In compliance with Texas law, Mesquite Police Officers have the authority and discretion to enforce traffic laws by issuing a verbal warning, citation, or arresting the violator. Traffic enforcement is utilized to gain drivers' and pedestrians' voluntary compliance with traffic laws. Traffic enforcement shall be accomplished in a fair and impartial manner. Officers should be professional and courteous, taking appropriate enforcement action as warranted by the existing circumstances. This policy is designed to promote a uniform traffic enforcement policy among our police officers.

**II. Procedure**

**A. Guidelines for Taking Enforcement Action:**

**1. Arrest**

- a. Officers shall refer to state law for traffic offenses that may or may not result in an arrest.
- b. The decision to effect a physical arrest based on a "Class C" traffic violation should be based upon sound legal principles as opposed to peripheral issues such as the violator's "attitude." Officers are authorized to arrest "Class C" violators who do not have valid identification in their possession or drivers operating without a valid driver license. Officers must receive supervisor approval before arresting a violator for any other "Class C" traffic or city ordinance violation, unless emergency or exigent circumstances exist.
- c. Officers must receive supervisor approval before arresting a violator for a "Class C" traffic offense where the violator refuses to sign a citation.

**2. Citations**

- a. The issuance of a citation is an option for any "Class C" traffic violation or City Ordinance violation.
- b. Although officers have discretion when enforcing traffic laws, a citation should be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including but not limited to hazardous moving violations, no liability insurance violations, and driver license violations.
- c. The City of Mesquite Citation form should be accurately completed in its entirety and all applicable blanks filled out. The violator should receive a copy of the citation which contains appropriate court contact information. Officers should not discuss the possibility of dismissal of citations with violators. They should be referred to the information contained in their copy of the citation.
- d. Tickets issued by electronic means shall be administered by current departmental training.



**3. Warnings**

- a. Verbal warnings, at the discretion of the officer, may suffice in some cases to encourage voluntary driver compliance or a change in driver behavior.

**B. Guidelines for Contacting Violators**

1. Traffic stops are one of the most dangerous responsibilities of law enforcement and safety is of the utmost importance; no traffic stop should ever be considered "routine."
  2. As soon as practical, police dispatch shall be advised via police radio of all traffic and suspicious activity stops. Ideally, this should be done prior to initiation of the stop, however, that is not always possible. Officers working stationary traffic enforcement (i.e. – school zones) may advise dispatch of their location and assignment. In lieu of marking out on separate traffic stops for each violator contact, the officer could keep the call sheet open and provide dispatch with the license plate numbers of each vehicle they stop, closing out the call at the end of the assignment.
  3. "High-Risk" traffic stops will be conducted in accordance with MPD General Order 221.00.
- C. Selective Traffic Enforcement Program (STEP) Grant Guidelines
1. The STEP Grant is administered by a Project Director/Grant Supervisor. The Traffic Sergeant is the Grant Supervisor for the Mesquite Police Department. The Project Director and the Grant Supervisor will be responsible for verifying that all paperwork is completed and turned in on a timely basis. The Project Director and the Grant Supervisor will document all hours and keep a monthly log of all STEP paperwork and activity sheets. The Project Director and the Grant Supervisor will be responsible for Requests for Reimbursements as well as overseeing the police department's performance toward meeting the grants requirements.
  2. All officers who work STEP will work under the direction of the Project Director and the Grant Supervisor if he or she is on duty. If the Project Director and the Grant Supervisor is not on duty, they will work under the direction of the on-duty patrol supervisor.
    - a. All police officers, up to and including Lieutenants are eligible to work the grant on an overtime basis. If an officer has never worked the grant, he/she will contact the Grant Supervisor for instructions and guidelines required in order to work the STEP grant.
    - b. An Officer's Daily Activity Report form will be provided for each shift worked.
    - c. The Officer's Daily Activity Report form will be filled out at the end of each shift worked and turned in to the Project Director or the Grant Supervisor. All citations and copies of arrest reports will accompany the Daily Activity Report.
    - d. The Officer's Daily Activity Report form must have the unit number, mileage and officer's signature. Both sides of the form must be completed. All appropriate blanks must be filled in for the form to be complete.
    - e. The Project Director or the Grant Supervisor shall review and sign all the activity reports for each period and ensure that all paperwork is complete and correct.
    - f. Officers will make traffic stops during the entire enforcement shift. Officers will concentrate their efforts on the violations for the grant they are working.
    - g. Working STEP is a privilege. Officers who do not follow the guidelines or do not perform to the minimum requirements of the Grant will not be allowed to continue to work STEP.

EFFECTIVE: March, 2013; REVISED: May, 2016; REVISED: December, 2016

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>237.00 HANDLING MISSING PERSONS</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

Reports of missing persons, especially children or the elderly, are a priority in our own community and also nationwide. Many resources exist to help locate individuals who are missing, and the following procedures are to be followed by Department personnel in order to expedite the investigation. Deviations from this policy must be at the direction of the Chief of Police or his designee.

**II. Procedures**

**A. Reporting/classification of missing persons:**

1. There is no waiting period for reporting a missing person.
2. All missing persons should be entered on NCIC within two hours of first report.
3. A person may be declared missing when their whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.
4. An individual may be considered missing/critical if they meet the aforementioned criteria and one of the following conditions:
  - a. Appears to be missing under circumstances that suggest they may be the subject of foul play,
  - b. Because of their age (young or old),
  - c. Suffers from diminished mental capacity or medical conditions that are potentially life threatening if left untreated/unattended,
  - d. Is a patient of a mental institution and considered potentially dangerous to themselves or others,
  - e. Has demonstrated the potential for suicide.

**B. Preliminary investigation**

1. The initial call taker must gather as much pertinent information as possible to properly classify a missing person report and initiate a proper response.
2. If the missing person is a child, especially a young child missing from the home or near the home, every effort should be made by the initial responding units to thoroughly search the child's home and closets, garage, vehicles, bushes, shed and any other area of the premise.
3. As soon as it appears that a person is missing, the assigned officer will complete a missing person report.
4. A complete description of the missing person and a recent photograph should be collected along with any other information required by current NCIC/TCIC policy.
5. In the case of missing children, officers will be particularly cognizant of information that may suggest the potential for parental abduction or the possibility of a stranger abduction, as well as:
  - a. The presence of behavioral problems,
  - b. Past instances of running away,
  - c. Signs of an abusive home environment or dysfunctional family situation,
  - d. Whether the child is believed to be with adults who may pose a danger,

- e. Name and location of the school attended by the child and any persons who may be responsible for the private transportation of the child to and from school.
  - C. In the case of a person designated as missing/critical, the initiating officer or supervisor will:
    1. Notify the appropriate investigations supervisor,
    2. Notify the Watch Commander,
    3. Ensure all available information regarding the subject is broadcast to all officers on duty, and to other area jurisdictions via TLETS,
    4. Investigations personnel will utilize the Amber Alert System if appropriate circumstances exist,
    5. Investigations personnel will utilize the Silver Alert System if appropriate circumstances exist.
  - D. Recovery of a missing person and case closure
    1. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals will:
      - a. Advise them that they are the subject of a missing person investigation;
      - b. Ask if they desire the reporting party or next of kin to be notified of their whereabouts;
      - c. Make provisions to transmit this information to the reporting party or next of kin, if permitted by the missing person.
    2. In all cases, reporting parties will be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, the desire of a missing person not to reveal his whereabouts will be honored except in cases involving juveniles.
    3. Missing persons will be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
    4. Parents, guardians, and/or the person reporting the missing youth will be notified in a timely manner.
    5. Upon locating a missing person, all agencies and information systems previously contacted for assistance will be notified.
- III. AMBER ALERT
- A. In order to activate the AMBER ALERT plan the officer should notify the on-duty Watch Commander and the following criteria must be met:
    1. The abducted child must be 17 years of age or younger.
    2. The local law enforcement agency must believe that the child has been abducted; that is, unwillingly taken from their environment without permission from the child's parent or legal guardian or by the child's parent or legal guardian who committed an act of murder or attempted murder during the time of the abduction.
    3. The local law enforcement agency must believe that the missing child is in immediate danger of serious bodily harm or death.
    4. The local law enforcement agency must confirm that an investigation has taken place that verifies the abduction and has eliminated alternative explanations for the missing child.
    5. Sufficient information is available to disseminate to the public that could assist in locating the child, the suspect or the vehicle used in the abduction.
  - B. Notifying the Governor's Division of Emergency Management
    1. The primary method of notifying the Governor's Division of Emergency Management (DEM) to activate an Amber Alert will be by faxing an "Amber Alert Request Form" to DEM.
    2. Backup methods for notification include phone, TLETS and e-mail.

- C. Amber Alert request form
  - 1. All requests for activation must include a point of contact and telephone number for confirmation and verification of any request. Fill in "Authentication Password" with the password from your Amber Alert Network access card.
  - 2. Faxed and e-mailed requests for activation should be placed on the Amber Alert Request Form. The form may be downloaded at [www.txdps.state.tx.us/dem](http://www.txdps.state.tx.us/dem).
  - 3. Requests made by TLETS should include the same information on the Amber Alert Request Form, including a point of contact, phone number and agency password.
- D. Transmitting an Amber Alert Activation Request
  - 1. Preferred method: Fax the Amber Alert Request Form to (512)424-2281 or (512) 451-2291.
  - 2. Secondary method: Send a TLETS message to AZAA, the DEM Communications Group in Austin.
  - 3. Backup methods: E-mail the Amber Alert Request Form to [soc@txdps.state.tx.us](mailto:soc@txdps.state.tx.us).
  - 4. Call (512)424-2277 or (512)424-2208

#### IV. SILVER ALERT

- A. In order to activate the SILVER ALERT plan the officer should notify the on-duty Watch Commander and all five (5) of the following criteria must be met:
  - 1. The missing person is 65 years of age or older.
  - 2. The person lives in Texas.
  - 3. The person has been diagnosed as having an impaired mental condition and does pose a credible danger to their safety. Documentation from a medical professional is required.
  - 4. The notification was made within 72 hours of the person becoming missing or in danger.
  - 5. There is sufficient information available to disseminate to the public that can assist the department in finding the individual.
- B. Officers wanting to activate the system should complete the following:
  - 1. Gather as much information about the missing person as possible,
  - 2. Notify a supervisor,
  - 3. Check all possible locations first,
  - 4. Notify the Watch Commander.

#### V. BLUE ALERT

- A. In order to activate the BLUE ALERT plan the officer should contact the on-duty watch commander.
- B. The following criteria must be met:
  - 1. A law enforcement officer is killed or seriously injured by an offender.
  - 2. The department has determined the offender poses a serious risk or threat to the public or other officers.
  - 3. A detailed description of the offender's car or license plate is available for broadcast to the public.
  - 4. The department must issue a broadcast request. This request must be approved by the Chief of Police or his designee.



EFFECTIVE: March, 2013

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>238.00 BARRICADED SUSPECTS AND HOSTAGE INCIDENT RESPONSE</b>
	<b>Effective Date: March, 2013</b>
	Approved:  Chief of Police

**I. Policy Statement**

- A. The policy of the Mesquite Police Department is to deal with barricaded suspects in a safe and effective manner. Officers involved with barricaded subjects and hostage incidents should strive for a safe resolution and release of any hostages involved to minimize the risk to the community, police personnel and apprehend offender(s) safely.

**II. Definitions**

- A. **Barricaded Subject:** An incident in which a person has secured themselves in a location (including vehicles) that has been made inaccessible to law enforcement and that person is reasonably believed to have threatened suicide, threatened to inflict injury or death, or has inflicted injury or death on law enforcement officers or other persons.
- B. **Hostage Situation:** An incident in which one or more person(s) holds another person against their will with the use, or threatened use of force.
- C. **Inner Perimeter:** Consists of personnel placement as close to the objective as possible using covered positions. This provides 360-degree visibility and suspect containment at the objective along with the best possible platform for intelligence gathering.
- D. **Outer Perimeter:** Consists of personnel placement normally surrounding the affected city block, but at all times out of the line of sight and fire from the objective. The outer perimeter will cut off all avenues of approach to the objective allowing no person to breach the outer perimeter. The outer perimeter provides for the safety of personnel operating within the inner perimeter.

**III. Procedures**

- A. Upon arrival at the scene of an incident, officers should determine the nature of the offense and begin stabilization of the incident. This includes the following:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.



- B. **Supervisor responsibilities**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

**EFFECTIVE: March, 2013**





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>239.00 SEX OFFENDER REGISTRATION</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

Offenses of a sexual nature, especially against children, are regarded by the local community and the State of Texas as worthy of offender registration. In order to better monitor the offenders and guard against future offenses, the following procedure outlines how the required registration process will be conducted.

**II. Procedures**



- A. The Criminal Investigations Bureau conducts sex offender registrations.
- B. Sex offender registration will be conducted every Monday, Tuesday and Thursday from 1:00 p.m. to 4:30 p.m. No appointment is necessary.
- C. Members of the Child Abuse/Sex Crimes unit will be familiar with the provisions of Chapter 62 of the Code of Criminal Procedure regarding departmental responsibilities for sex offender registration.
- D. A sex offender whose initial registration is conducted by the Mesquite Police Department will be photographed and fingerprinted by an available detention officer. Two sets of fingerprints will be taken, one of which will be provided to the Crime Scene secretary. The other will be sent to the Texas Department of Public Safety along with the original CR-35 and CR-32. A photograph will also be taken and placed in the mug shot database. This procedure will ensure that the offender is compliant with state and local requirements.
- E. The offender along with any motor vehicle he/she owns will be digitally photographed and placed with his/her departmental file. The photograph with the offender's name, date of birth and address will also be entered onto the Crime Web network site, unless the offender was convicted as a juvenile.
- F. Offenders are required to register either on a monthly, quarterly or yearly basis. Once the offender is in the system and it is determined how often he/she should register, the offender will come in during the aforementioned hours and have a CR-39 completed. The CR39 will be signed and a thumbprint provided by the offender. The State of Texas website, along with Crime Web, will be updated.
- G. The Mesquite Police Department may periodically review it's registration files and make unannounced compliance checks in order to see if any changes in status, address or vehicle information have occurred. Any failure by the offender to update his status may result in charges being filed. If a violation comes to the attention of any member of this department, the primary sex offender registration officer shall be notified by completion of an offense report.

**EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>240.00 LARGE-SCALE ARREST PROCEDURES</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

Protests, demonstrations, or riots utilizing active or passive resistance against arrest can pose a substantial challenge for a police department. Officers on the scene must balance the need to maintain order with the constitutional rights of all persons involved. In addition, making a large number of arrests requires mobilization of additional resources, interagency cooperation and procedural flexibility in order to expedite the process of identifying, transporting, and booking in prisoners. In all cases, officers must select the appropriate control techniques based on the circumstances.

**II. Definitions**

**Large-scale arrest:** The simultaneous arrest of large numbers of persons, usually due to demonstrations, protests and riots, that require personnel and resources beyond the capacity of the normal officer complement.



**III. Procedure**

- A. The first officer on scene will request the presence of a supervisor and make an initial assessment of the support required.
  - B. Dispatch will notify the Watch Commander, the Station Sergeant, and with Watch Commander approval, notify surrounding agencies of the event. The Station Sergeant may summon additional detention officers to assist with jail operations.
  - C. The Watch Commander may request additional officers from other law enforcement agencies if determined necessary to maintain order. The Fire Department may be asked to stage ambulances nearby if necessary for medical evaluation and treatment of injured persons.
  - D. The Watch Commander will order large-scale arrests of violators when sufficient officers are on scene to safely take violators into custody. In the case of violent demonstrations, officers may immediately implement large-scale arrest procedures to preserve the peace and protect themselves and innocent bystanders.
  - E. On scene police personnel will be divided into two groups:
    1. One group will make arrests and identify the arrestees.
    2. The second group will transport prisoners to the jail and begin book-in procedures. Officers from other agencies who arrive to assist will be assigned to the transport group.
  - F. Arrested persons will be identified at the scene in one of two ways:
    1. Officers will take a photograph of the arrestee. A CSS photo placard with the subject's name, arresting officer's badge number and charges will be held under the arrestee's chin. Images will be taken to the jail personnel for documentation.
    2. Marker: Officers may use markers to write the subject's name, arresting officer's badge number, and charges on the inside of the subject's forearm.
  - G. Jail holdover cells (#1032 and #1033) will be used to hold prisoners until they can be processed. Multi-hold cells on both the male and female sides may also be utilized. If the number of prisoners exceeds the capacity of these cells, the Station Sergeant will arrange for the transfer of prisoners to the Dallas County Jail for all charges Class B and above.
  - H. All other departmental policies will be followed in the handling of prisoners.
- EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>241.00 MUNICIPAL COURT OPERATIONS</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The safety and security of the citizens of Mesquite and the employees of the City of Mesquite are of primary concern, and this extends to the security of the City of Mesquite Municipal Court while it is in session. The purpose of this general order is to establish guidelines for the handling of emergencies, security measures, conduct, decorum and other courtroom procedures in order to provide a secure courtroom environment.

**II. Procedure**

**A. Assignment:**

1. The Operations Captain or his designee is responsible for assigning an officer to act as bailiff when court is in session.
2. The bailiff should arrive in the courtroom at least 30 minutes prior to the beginning of a Jury Trial docket. The bailiff should arrive in the courtroom at least 15 minutes prior to the beginning of a Trial by Judge or other scheduled docket.

**B. Courtroom Security:**



1. Weapons of any kind are not permitted in the court. All persons and their property entering the court are subject to search of their person and any items in their possession (purses, briefcases, etc.). The decision to search persons and items in their possession will be at the discretion of the presiding judge or the bailiff. This policy does not apply to peace officers who are conducting official business with the court.
2. In the event that the bailiff needs assistance from other police officers, three means of communication are present in each courtroom. Those means of communication are:
  - a. Telephone
  - b. Panic buttons
  - c. Bailiff's police radio
3. Personal restraints (handcuffs, transport belt, etc.) shall be used when a physical arrest is made in the courtroom or when an arrested subject is brought before the court for arraignment. In cases where high-risk persons are brought to the court for any reason, such persons may be restrained as necessary.
4. When a person is arrested in the court or when an arrested person is brought before the court, the secure back entrance should be used.

**C. Responsibilities During Court Sessions:**

1. Before each session the bailiff will:
  - a. Check the courtroom for suspicious items, or potential hazards to any person conducting business in the courtroom (broken furniture, loose, carpeting, etc.). Any hazardous items will be reported to Building Maintenance or other department as necessary for resolution.
  - b. Verify the exit doors are in working order and there are no obstacles to prevent the evacuation of the courtroom in the event of an emergency.
  - c. Unlock the courtroom doors and allow the public inside.
2. During Judge or Jury Trials the bailiff will:
  - a. Preserve order and decorum while court is in session.

- b. Call complainants, witnesses and defendants to the bench when requested by the judge.
    - c. Maintain security of the jury room and see to the needs of the jury and witnesses.
  - D. Emergency Incidents
    - 1. Medical Emergencies:
      - a. Requests for emergency medical assistance will be made by calling 911 on the court phone or by police radio.
    - 2. Fire Emergencies:
      - a. In the event of a fire, the bailiff will assume responsibility for courtroom evacuation. A fire alarm will be considered the same as an actual fire. Those persons present in the court will be instructed to exit the building through the nearest exit. No person will be allowed to re-enter the building until clearance is given by the Mesquite Fire Department.
      - b. Fire evacuation charts are permanently displayed in the courtroom lobby and in the lobby of the Court Clerk.
    - 3. Weather Emergencies:
      - a. The Director of Finance or his designee is responsible for operations within the Municipal Court and City Hall buildings. During a severe weather incident, the Director may declare an emergency and require all occupants of the building proceed to a safe location until the incident is over.
      - b. Unless instructed otherwise, the safe location is on the first floor of the building, in the hallway leading to the Judge's Chambers. Since this location is in an employee only area, members of the public must be kept under visual observation at all times. With the exception of the safe location, members of the public will not be allowed to enter any area where they would not otherwise be allowed to enter.
      - c. If a weather emergency is declared, the bailiff will assume control of evacuating the courtroom and directing people to the designated safe location.

EFFECTIVE: March, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>242.00 SEARCHES WITHOUT A WARRANT</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The U.S. Constitution guarantees people to be free from unreasonable searches, and except under specific circumstances, requires a valid warrant to conduct a search. The policy of the Mesquite Police Department is to conduct searches only as allowed by law to ensure the rights of all persons are protected.

**II. Definitions**

- A. Search incident to arrest: A direct and purposeful search of an arrested person using hands and/or metal detector.
- B. Plain view: A search which allows a law enforcement officer to seize evidence or contraband when an officer views it from a lawful vantage point.
- C. Consent: A search based on the voluntary consent of an individual whose person or property is being searched.
- D. Exigent Circumstances: Emergency or unforeseen circumstances which require an officer to act immediately.



**III. Procedure**

- A. Searches incident to arrest
  - 1. Arresting officers shall conduct a search of all arrested persons to the extent necessary to protect the officer, the arrestee and any other person.
  - 2. Officers may conduct a full search of the arrested person regardless of the reason for the arrest.
  - 3. Officers may also search the area within the immediate control of the arrestee for weapons and evidence which may be destroyed.
- B. Plain View Searches
  - 1. An object or odor is considered in plain view if an officer has the right to occupy the place from where the observation is made.
  - 2. Officers may seize items of evidence without a warrant that are observed "in plain view" under the following circumstances:
    - a. The officer must be in a position which he/she has a legal right to be.
    - b. The officer must actually observe the item of evidence.
    - c. It must be immediately apparent to the officer that the item observed is evidence or contraband and subject to seizure.
    - d. A warrant may be required for areas outside the span of control.
  - 3. If an officer makes a lawful arrest from a vehicle and an unsecured arrestee is within arms reach of the passenger compartment, the passenger compartment can be searched incident to arrest. (Arizona v Gant 2009)
  - 4. If an officer makes an arrest and has probable cause to believe that evidence of a crime could be found in a vehicle's passenger compartment, it can be searched incident to that lawful arrest. (Arizona v Gant 2009)
  - 5. If an officer has probable cause to believe that evidence of a particular crime is located in a vehicle, the officer can search the vehicle without a warrant, based upon the motor vehicle exception to the search warrant. (Carroll v U.S. 1925)
- C. Consent Searches
  - 1. Consent to search is only valid if it is given knowingly and voluntarily by a person who has authority to consent to a search.

2. Officers shall not use coercion or deceit to obtain consent to search.
  3. Officers conducting a consent search shall limit the search to areas within the scope of the consent and immediately terminate the search if consent is revoked.
  4. When possible, officers should obtain written consent via consent to search form and/or audio/video recorded consent from the person.
- D. Exigent Circumstances
1. In an emergency, an officer may enter a premise or vehicle without a search warrant if the officer has reasonable suspicion to believe immediate entry must be made to aid a person in immediate danger of death or bodily injury, or to prevent the imminent destruction of evidence or property.
  2. Prior to involuntary or forced entry, the officer should reasonably attempt to obtain voluntary admittance to the premises or vehicle. Following entry, the officer may search the location only to the extent necessary to carry out the purposes of the entry and the protection of the officers.
- E. Felonies or Hot Pursuit
1. Officers may enter a building, car or other structure with the intent to search while in hot pursuit or in reference to a felony, in accordance with the current Texas Code of Criminal Procedure.
- F. Vehicle Inventory
1. A vehicle that has been lawfully taken into custody by a law enforcement officer (ex: impoundment), may be inventoried. Inventories will be conducted in accordance with current department policy.

EFFECTIVE: March, 2013



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>243.00 CRISIS NEGOTIATIONS TEAM</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The Crisis Negotiations Team is under the command of the Chief of Police or his designee. The Crisis Negotiations Team should be utilized in circumstances where their specialized skills are likely to result in the successful conclusion of high risk situations; including, but not limited to hostage situations and barricaded suspects.

**II. Procedures**



- A. In order to be a member of the Crisis Negotiations Team, a candidate must have successfully completed a State approved Basic Hostage Negotiation School. Successful completion of a Hostage Negotiation School does not, however automatically make an officer a member of the Crisis Negotiations Team. Active team members will be selected by supervisors within the Crisis Negotiations Team based upon the skills and abilities that the officer has demonstrated.
- B. People who are not active members of the Crisis Negotiations Team may be utilized in conjunction with active team members if the team leader on scene determines that they may contribute to the successful conclusion of the incident. Examples are when a patrol officer has already established a rapport with the subject or when there is likelihood that a particular officer may be successful in dealing with the subject.
- C. Active Team Members should receive at least eight hours of refresher training every year.

**EFFECTIVE: March, 2013**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>244.00 CIVIL DISTURBANCES</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The primary goal when handling any civil disturbance incident is to contain, control, and resolve the conflict. Special attention should be given to citizens rights, and resolving the disturbance in a peaceful manner.

**II. Procedure**

**A. Responding Officer(s)**

1. Notify a supervisor immediately upon approaching large scale civil disturbances.
2. Officers should take a position to observe crowd behavior, but use caution in taking actions and report information to other responding units.
3. Officers should determine whether to take enforcement action or defer to a supervisor for a peaceful resolution. This decision should be made by considering the size of the suspect crowd, the resources available to the officer(s) at the time, and the need for action.
4. Officers should consider all options when dealing with legal protesters.
5. Looting and destruction of property should be dealt with according to law.
6. Officers should consider not entering large crowds alone to arrest offenders. Officers must evaluate the totality of the situation in order to make safe decisions for making arrests.
7. Officers should work as two man units, when communication capabilities are low or when the crowd is large.
8. Officers are encouraged to regroup and reevaluate the situation as needed.

**B. Supervisors**

1. Field supervisors should respond to the scene to evaluate the situation and make decisions of the necessity for additional units or equipment.
2. Field supervisor(s) should relay information to the Watch Commander.
3. When needed, the Watch Commander will become the incident commander and take control of the scene.
4. The Watch Commander will make appropriate notifications of the Chief of Police, the Tactical Team, and the Bureau Commander.
5. The Watch Commander may also evaluate the necessity for assistance from other departments within the city and other agencies outside the City of Mesquite.
6. The Watch Commander may also submit a request to the Chief of Police to activate the Emergency Operations Center in accordance to the Mesquite Emergency Activation Plan.

**C. Public Safety Dispatchers**



1. In the event of a significant civil disturbance, the Watch Commander may decide to move routine radio traffic to another channel, providing uninterrupted radio communications with field personnel involved in the disturbance.

**D. Special Events**

1. Planned events, such as large scale sales events at the mall and festivals, may require prior planning to prevent civil unrest.
2. The Chief of Police or his designee may design reaction plans for such events.
3. Large planned events require the use of separate radio channels for officer safety.

**EFFECTIVE: March, 2013**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>244.50 SPECIAL RESPONSE TEAM</b>
	<b>Effective Date: January, 2019</b>
	<b>Approved:</b>  <b>Chief of Police</b>

**I. Policy Statement**

It is the policy of the Mesquite Police Department to facilitate free speech and assembly whenever possible, while preserving order and protecting persons and property. This order governs the Department's response to such events when public safety, property and transportation considerations are best served by a police presence. Officers on the scene of these incidents must balance the need to maintain order with the protection of the constitutional rights of all persons. The mission of the Special Response Team is to support the Department's operational goals by providing an organized team of properly trained and equipped officers capable of responding to and dispersing incidents involving civil disorder. The primary goal when handling any civil disturbance incident is to contain, control and resolve the conflict. Special attention should be given to protecting the constitutional rights of all persons and resolving the disturbance in a peaceful manner.

**II. Definitions**

- A. Riot** – the assemblage of seven or more persons resulting in conduct which:
1. Creates an immediate danger of damage to property or injury to persons;
  2. Substantially obstructs law enforcement or other governmental functions or services or;
  3. By force, threat of force, or physical action deprives any person of a legal right or disturbs any person in the enjoyment of a legal right.
- B. Special Response Team (SRT)** – A team of officers trained in handling large crowds and riot situations, including specialized training in crowd dispersal, tactics and special weapons.

**III. Activation Procedure**

**A. Emergency Activation**

1. \_\_\_\_\_
2. SRT members should be mindful of their level of specialization and that they are subject to recall to duty.
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. In the event it becomes necessary to activate the SRT, the Watch Commander will notify the:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
  - d. \_\_\_\_\_

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**B. Activation for Scheduled Events**

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**IV. Organization**

**A. The SRT will consist of:**

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**B. The SRT Captain will:**

1. Be accountable to the Chain of Command.
2. Designate responsibilities to the SRT Supervisors.
3. Submit an After Action Report to the Chief of Police in accordance with General Order 126.00.

**C. The SRT Lieutenant will:**

1. Be accountable to the SRT Captain.
2. Be responsible for the operations of the team.
3. Select and maintain a tactically proficient team of officers.
4. Coordinate training of the team.
5. Assign SRT members, as needed, to:
  - a. Squad(s).
  - b. Arrest Team(s).
  - c. Grenadier, and/or
  - d. Extrication Teams.
6. Coordinate with SRT Sergeants concerning deployment strategies, equipment readiness and training requirements.
7. File Use of Force report(s) for Less Lethal Munitions delivery.

**D. The SRT Sergeants will:**


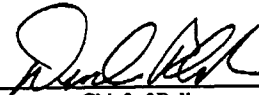
1. Have direct responsibility for supervision of the officers assigned to them in their respective squads.
2. Assist the SRT Lieutenant with the planning, training and deployment of personnel assigned to the team.
3. Conduct annual inspections of all assigned equipment.

4. Ensure that all team members are equipped and ready to respond when needed.
  5. Inform the SRT Lieutenant of any unusual incidents or personnel issues.
  6. Document Use of Force incidents by officers assigned to their squad or under their supervision.
- E. SRT Officers:
1. Are directly accountable to their SRT supervisors.
  2. Are subject to being placed on stand-by in preparation for an appropriate response to large-scale or potentially violent situations.
  3. Will maintain all assigned equipment which shall be kept in proper working condition, including routine maintenance and shall be readily accessible for activation.
  4. Will activate department issued body worn cameras while taking enforcement action.
  5. Will report any Use of Force incidents to their supervisor.
- F. Grenadiers:
1. Are directly accountable to the SRT Lieutenant or, in his absence, an SRT Sergeant.
  2. Will maintain all assigned equipment and keep it in proper working condition, including routine maintenance.
  3. Will be responsible for maintenance, inventory and use of all chemical agents.
  4. Will maintain equipment certification(s) and be familiar with deployment methods and effects of chemical agents.
  5. Will be trained and proficient in using department approved equipment.
  6. Will be responsible for the delivery of chemical agents during any incident to which the SRT is deployed.
  7. Will only deliver chemical agents upon an order from an SRT Captain, SRT Lieutenant, or in their absence, an SRT Sergeant.
- V. Dispersal Order
- A. Upon determining that a crowd presents an imminent risk to public safety or large-scale property destruction appears likely, the Incident Commander shall issue a dispersal order to the crowd.
  - B. If possible, officer(s) should be placed at the rear of the crowd to verify the dispersal order could be heard by all. The officer(s) at the rear should attempt to make an audio/video recording of the dispersal order.
  - C. The order should be issued as follows:  
 "I am (rank and name) of the Mesquite Police Department. I am now issuing a public safety order to disperse and I command all those assembled at (specific location) to immediately disperse, which means leave this area. If you do not do so, you may be arrested and subject to other police action. Other police action could include the use of chemical agents or less-lethal munitions, which may inflict significant pain or result in serious injury. If you remain in the area just described, regardless of your purpose, you will be in violation of city and state law. The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse."
  - D. A reasonable amount of time should be allowed for compliance.
  - E. After a reasonable amount of time has passed, the Incident Commander should assess the effect of the warning and determine if subsequent warnings should be issued or whether another course of action is appropriate.

- F. Exigent circumstances including, but not limited to, the immediate threat to life and/or property may dictate taking action before dispersal order can be issued.
- VI. Inter-Agency Assistance
  - A. When an event is such that available personnel within the Department are not sufficient to accomplish the purpose of this order, the Incident Commander may request assistance from surrounding agencies.
  - B. Another agency's request for aid in controlling a crowd outside the City of Mesquite shall be directed to the Watch Commander and shall receive final approval from the Chief of Police.
  - C. The Watch Commander should attempt to determine the amount of personnel and resources an agency is requesting.
  - D. The Watch Commander will determine if enough resources are immediately available to meet the request and answer calls for service, or if the SRT needs to be activated.

EFFECTIVE: January, 2019



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>245.00 PERFORMANCE EVALUATIONS-SWORN PERSONNEL</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**I. Policy Statement**

Effective leadership and communication is vital to the successful operation of the Department. Part of the leadership process requires supervisors to provide subordinates with positive feedback and, when necessary, constructive criticism. To facilitate this requirement, every sworn member from the rank of assistant chief of police and below will receive annual performance evaluations from their direct supervisor. Performance evaluations create an opportunity for supervisors to gain a deeper understanding of an employee's attitudes and strengths. This facilitates growth in both the supervisor and member.

**II. Procedure**

**A.** Each sworn member from the rank of assistant chief of police and below will receive an annual performance evaluation from their direct supervisor on or before the member's anniversary date. The Staff Support Bureau Captain will administer the performance evaluation process.



1. In the event an employee, due to transfer or promotion, has worked in two or more assignments during the term to be evaluated, the evaluation will be conducted by the direct supervisor over the position held for the longest period of time, with cooperation from the other supervisor(s) the member has worked for.
2. The evaluation will then be forwarded through the chain of command to the Chief of Police. All supervisors in the member's chain of command will have the opportunity to comment on the employee's performance.
3. Once the evaluation has been reviewed and signed off by all levels of the chain of command the evaluation will be returned to the employee's direct supervisor.
4. Upon receipt of the completed form, the direct supervisor shall complete an evaluation review with the member. The member shall sign the form and will mark the original copy of the evaluation as "agree" or "disagree." The member will then have the option of attaching any written comments to be included as a permanent part of their evaluation. Signature and comments must be attached within ten working days.

**B. Staff Guidelines**

1. It is the responsibility of the evaluator to conduct a complete, fair and impartial evaluation of the knowledge, abilities and skills of employees under his/her supervision in a timely manner, and in accordance with established policy.
2. The evaluator will fully document all appropriate criteria in each category for the employee in accordance with currently approved departmental training, or will document why the criteria did not apply to the evaluation.
3. The employee's direct supervisor will be responsible for completing the evaluation form in a timely manner so that all levels of the chain of command have ample opportunity to review the evaluation prior to the employee's anniversary date.
4. The original signed copy will then be returned to the Staff Support Office Coordinator who will file it in the member's permanent personnel file. The Office Coordinator will also forward a copy of the signed evaluation to the member for his/her records. Evaluations completed on assistant chiefs of police will be filed directly by the Chief of Police.

- III. Performance Evaluation Form
  - A. The form will be provided to the evaluators as a digital copy for completion.
  - B. The supervisor is expected to provide comments on the performance of the employee being evaluated.
  - C. Each supervisor in the employees' chain of command who reviews the evaluation will either "agree" or "disagree" with the rating and comments. If they agree, further comments are strongly encouraged. If they disagree, they must justify the reason(s) for non-agreement.
- IV. The following categories will be evaluated on all employees. The criteria used in each will vary according to rank and work assignment.
  - A. Attendance/Appearance
  - B. Motivation & Work Ethic
  - C. Care for City Property
  - D. Employee Development
  - E. Relations with Peers, Supervisors and/or Subordinates, & Citizens

EFFECTIVE: March, 2013

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>246.00 CID AFTER-HOURS CALLOUT</b>
	<b>Effective Date: April, 2014</b>
	<b>Approved:</b> _____ <div align="center">   Chief of Police </div>

**I. Policy Statement**

The efficient and effective investigation of criminal offenses will mandate the occasional after-hours response by investigative personnel. This policy is designed to outline the procedures to be followed when such callouts are necessary.

**II. Procedures**

- A. Before an after-hours callout of CID personnel is initiated, a Patrol supervisor should make an on-scene evaluation of the facts and circumstances. If the on-scene supervisor feels a callout is warranted, they should then consult with the on-duty Watch Commander who will make the decision to initiate a callout.
- B. When an investigator is required after hours, the On-Call Log on the CID Databases page should be referenced and the on-call CID supervisor contacted. The only exceptions are officer involved shootings and homicides. In such cases, the Capers sergeant and CSS sergeant, or their designated back-ups, should be contacted initially.
- C. The on-call CID sergeant will determine the appropriate investigative response and, when practical, send an email to the CID lieutenant, CID captain, and the Watch Commander advising of the nature of the callout and who is responding.
- D. At least one detective from the investigative unit primarily responsible for the specific type of offense will respond. Detectives from other sections may also respond to assist.
- E. The primary detective will, as soon as possible after responding to the scene, provide both their assigned sergeant and the on-call sergeant with a brief summary of the situation. This can be accomplished by email, text, or phone call depending on the seriousness of the offense. In the event the detective's assigned supervisor is unavailable, their designated back-up will be notified.
- F. Once a callout is initiated, the primary investigator will report to his or her assigned supervisor regarding any updates or questions. If their assigned supervisor is unavailable, they will report to the on-call sergeant.
- G. When practical, at the conclusion of a callout and before the primary detective concludes their callout shift, that detective will ensure an email is sent summarizing the callout and the investigative outcome to: their immediate supervisor, the on-call CID sergeant, and the Watch Commander.
- H. Circumstances may arise that require deviation from this policy. In such instances, the CID lieutenant, or in his absence the CID captain, will be notified and approve and/or determine the appropriate response.

**III. General – CID Personnel**


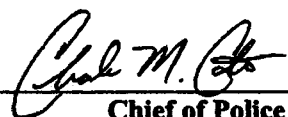
- A. One detective from each specialized investigative unit will always be on-call.
- B. When on-call, CID personnel will work in that capacity for a one week period.
- C. All on-call periods will be selected by CID personnel at the same time that vacation selections are made and will be indicated on the CID schedule accessible via the CID databases page.

**EFFECTIVE: April, 2014**

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>247.00 POLICE CANINE</b>
	<b>Effective Date: January, 2019</b>
	Approved:  <b>Chief of Police</b>

- I. **Purpose**  
The purpose of this policy is to provide guidelines for the management and tactical deployment of canines for a variety of operational purposes.
- II. **Policy Statement**  
The Police Canine Program was established to augment police services to the community. Trained teams of Handlers and Police Canines are used to supplement police operations, to locate and apprehend criminal offenders, track suspects, detect narcotics and search buildings. It is the policy of the department that Police Canine Handlers will employ the Police Canine only as reasonable and necessary to achieve a lawful law enforcement objective. Each use of a canine will be documented and evaluated as to the justification of the level of force used. It is also the policy of this Department that Police Canines will be used in a manner consistent with the provisions of this policy and all Department policies related to use of force.
- III. **Definitions**  
Police Canine Supervisor – A person who holds the rank of at least sergeant and who demonstrates the desire and capacity to oversee and direct the Department’s Police Canine Program in a positive and progressive manner.  
Canine Handler (Handler) – A police officer assigned to the Canine Unit  
Police Canine (Canine) – A canine owned and operated by the Mesquite Police Department for the purpose of assisting the police.  
Police Canine Team – A police officer and their assigned Police Canine.  
Canine Unit – A specially equipped patrol car specifically used for the transport of a police canine.  
Canine File – A file designated in the Operations Bureau that is reserved to contain documents relating to the Police Canine Program.  
Deployment – When a handler makes use of his assigned canine in an official capacity.
- IV. **Procedures**
- A. **Assignment of Police Canines**
1. The Police Canine Teams shall be assigned to the Operations Bureau to supplement and assist in the patrol function and other Department units as called upon.
  - 2.
  3. Personnel within the department are encouraged to utilize the Police Canine Teams.

4. The on-duty Watch Commander shall approve all requests for Police Canine assistance from outside agencies subject to the following provisions:
    - a. Police Canine Teams shall not be used outside the City of Mesquite, Texas to perform any assignment, which is not consistent with this policy.
    - b. Upon arrival at the scene, the handler has the ultimate decision as to whether or not the Police Canine is to be used for a specific assignment.
  5. All public requests for a Police Canine Team shall be approved by the Canine Supervisor prior to making any commitment. Handlers shall not demonstrate or randomly display a Police Canine to the public unless authorized to do so by the Canine Supervisor as the animal is a law enforcement tool.
- B. Interaction of Police Canine with Officers/Public
1. No member of the public shall be allowed to "pet" or interact with a Police Canine without the permission of the handler. If the handler allows interaction from the public, they will be in immediate proximity and have the canine short leashed.
  2. Fellow officers are also required to have the handler's permission to interact with the canine and shall not engage in any type of behavior that would tend to agitate the animal unless directed by the handler during training.
  3. A Police Canine may be brought into the Police Department Building while the handler conducts routine business.
- C. Selection of Police Canine Handlers
- The following are the qualifications for officers who apply for the assignment of Police Canine Handler:
1. Must have a minimum of three (3) years of law enforcement experience with the Mesquite Police Department.
  2. Own their own house (no apartments), with a minimum of a six foot tall fence, within 20 miles of the city limits.
  3. Must not have any sustained use of force complaints in the past three (3) years.
  4. Successful completion of an interview board.
  5. Interview with spouse (if applicable) and officer at home visit.
  6. A recommendation from their current supervisor(s).
  7. Written acceptance from the applicant to stay in the position for a minimum of five (5) years and agreement to not take any promotional exams during that time.
  8. Must be able to lift and carry the weight of the average police service dog (80-100 pounds).
  9. Demonstrate character traits, such as maturity, patience, initiative, flexibility, dependability, enthusiasm and a strong work ethic.
  10. Must have an above average attendance record.
  11. Agree to work flexible hours and be on call.
  12. Ability to successfully complete a prescribed canine handler course.
  13. Compliance with any other requirements set forth by the department for the position.
- D. Police Canine Unit Supervisor Responsibilities
- The Canine Supervisor shall be appointed by the Chief of Police and shall be responsible to the Operations Bureau Captain for the supervision of the Police Canine Program. The Canine Supervisor shall be responsible for, but not limited to, the following:
1. Maintain liaison with the vendor kennel;
  2. Maintain liaison with Administrative Staff and other supervisors;
  3. Maintain liaison with other agency Police Canine Supervisors;

4. Oversee the handler's recording of accurate records to document Police Canine activities, maintain proper record retention and review all Police Canine usage reports.
  5. Recommend and oversee the procurement of needed equipment and services for the unit.
  6. Be responsible for scheduling all Police Canine related activities, review the canine policy annually, and keep abreast of court decisions affecting liability and usage.
  7. Ensure the Police Canine Teams are scheduled for continuous training to maximize the capabilities of the teams.
  8. Make monthly reports, recommendations and evaluations as to the overall status of the canine program to the Division Commander.
  9. Conduct inspections of the Canine Team and its kenneling (at least annually) and evaluate their performance.
  10. Prepare and/or review canine related reports. In the absence of the Canine Supervisor, an on-duty supervisor shall prepare the reports.
- E. **Handler Command Responsibility**  
Only the assigned handler will be allowed to train and command the Police Canine. This includes feeding and basic care of the canine. It should be understood that obeying commands is an essential part of the effectiveness and success of the Canine Team in the field. Additional handlers will only cause confusion that may not be detected or revealed until a stressful situation arises.  
In certain circumstances, vacation being one example, the handler may ask another officer familiar with the canine to feed the animal in his/her absence. In lieu of boarding, the officer asked to feed the animal will be given time while on duty or compensated to complete these necessary tasks. The Canine Supervisor should be made aware and approve alternate care plans in advance.
- F. **Handler Availability and Compensation**
  1. The handler shall be available for call-out under conditions specified by this policy or as needed by the Department.
  2. The Police Canine Handler shall be compensated for time spent in the care, feeding, grooming and other needs of the dog as provided by the Fair Labor Standards Act.
- G. **Vehicle**
  1. The Canine Unit will be kept clean, inside and out, and its equipment functioning at all times. Making sure the vehicle is available for routine vehicle maintenance and equipment updates or repairs is the responsibility of the handler.
  2. It will also be the responsibility of the handler to ensure that all equipment, firearms and narcotic drug training aides are removed from the unit prior to extended servicing of the vehicle.
  3. While on duty, the handler will have a supply of fresh water for the dog at all times and will water the animal as needed. The hot dog/bail out system will always be activated and the temperature settings will be adjusted as weather dictates.
  4. At no time will any other animals, other than a Police Canine, be allowed to ride in the Canine Unit. In the event the Canine Unit is out of service for an extended period of time, the handler may use the unit assigned to another handler, if scheduling permits. However, if this is not possible, the handler will drive a regular patrol car on duty and be assigned accordingly by the Shift Watch Commander.
- H. **Equipment Maintenance**

Maintenance and upkeep of the training equipment will be the responsibility of the handler. When equipment needs to be replaced, the handler will notify the Canine Supervisor in writing. The Canine Supervisor will keep an updated inventory of assigned equipment in the canine file. Each handler is required to bring all assigned equipment to each training day.

I. Training

1. Training will be a minimum of two days per month as scheduled by the Canine Supervisor, and will be a structured event as dictated by the Canine Supervisor.
2. Training will consist of activities that ensure the Canine Team's ability to annually achieve patrol certification and detector canine certification through a police canine training criteria established or recognized by a state or nationally recognized police canine training organization, as well as any other canine certifications that the Department wishes to carry. The specific training guidelines shall be in writing and shall be reviewed at least annually by the Police Canine Supervisor to ensure the guidelines are current and in keeping with recognized best practices. Training will also consist of simulated scenarios that prepare and maintain the animal's ability to function in on duty situations that include, but are not limited to, vehicle and structure narcotic searches, tracking, criminal apprehension, aggression, handler protection, article and building searches, and live gun fire situations. In the absence of decoys, handlers are sometimes required to assist in the training of other Police Canines.
3. All training, whether on specified training days or any other time, will be documented fully and meticulously on the unit's approved training forms. The reports shall include type of training, dates, times, locations, decoys used and the Police Canine Team's performance. All training will be evaluated by the Canine Supervisor.
4. Handlers should not subject the canine to any type of training that could severely injure the animal.
5. Completed monthly training records are due for approval by the Operations Bureau Captain no later than the 5<sup>th</sup> day of each month. Should the 5<sup>th</sup> day fall on a Saturday or Sunday, the records are due the following Monday. The original reports will be forwarded to the Operations Bureau Captain, and the Canine Supervisor will place a copy in the canine file. All training records will be securely stored in the Operations Bureau Canine Unit files.
6. If the Police Canine Team fails to certify through an accredited police canine organization, the team will not be deployed in the field until such certification is achieved. A report of this should be generated, investigated and filed with the Operations Bureau Captain.
7. Training may be performed in conjunction with other agencies providing that the guidelines and criteria used to establish the training process are in keeping with I.(3) of this section.
8. A chain of possession record will be maintained for any controlled substance used in the training process. Any controlled substance issued to a Canine Officer for use in training will be weighed by both the Police Property Room Supervisor and Canine Officer at the time the substance is dispensed. When the controlled substance is returned to the Property Room it will again be weighed by the Police Property Room Supervisor and the Canine Officer prior to being returned to the departments secure narcotics storage. Both the Police Property Room Supervisor and the Canine Officer will document and initial the weight of the controlled substance being dispensed or returned. The substance will also be presumptively field tested by the Police Property Room Supervisor (if the field test technology is available for the particular substance) at the time the substance is dispensed to



the Canine Officer for use and again when the substance is returned to the departments secure narcotics storage. If the Police Property Room Supervisor is not available, the on-duty Watch Commander or Canine Supervisor may act in his/her place to certify the weight. Any discrepancies in weight or presumptive field testing will be immediately reported to the Operations Bureau Captain and will be documented in a memorandum to the Chief of Police.

9. Controlled substances used in training will be stored in a locked portion of the Police Canine vehicle when not being used.
10. It is the responsibility of the Police Canine Supervisor to request and file any necessary documentation with the Drug Enforcement Agency to receive and maintain any controlled substance necessary for training. A copy of the records will be stored in the Canine File.

J. Housing, Nutrition and Medical Care of the Canine

1. The Police Canine will be kept at the handler's home at all times unless kenneling at the approved veterinary clinic is required. The animal's home kennel shall be no smaller than 10' wide x 10' long x 6' high and constructed of chain-link or stronger material with a concrete or synthetic floor. It shall be kept clean and in a functional condition by the handler. The canine should only be allowed to run free in the backyard if the handler is present, otherwise, the canine will be secured inside his kennel. The fence surrounding the handler's backyard shall be permanently posted with "Beware of Dog" signs on all sides of the fencing.
2. The canine's at-home kennel will be located so that the canine will be covered by as much shade as possible in the summer months. If no shade is available, shade cloths will be installed. At no time will the canine be allowed to interact with female canines of any breed that have not been spayed. Interaction with other "pets" of any kind should be limited.
3. Each handler is entitled to boarding and kenneling services at any boarding facility that is in compliance with the minimum standard requirements for boarding facilities established by the department. All boarding facilities must be approved by the Canine Captain and inspected by the Canine Supervisor prior to any Police Canine being boarded at the facility. Whenever the handler anticipates taking a vacation or an extended number of days off, it may be necessary to kennel the canine at an approved boarding facility. In those situations, the handler shall give reasonable notice to the Canine Supervisor so that appropriate arrangements can be made. The Canine Sergeant shall maintain a current list of approved boarding facilities and shall approve all boarding requests. The Canine Sergeant shall perform and document an annual inspection of each approved boarding facility to ensure compliance with the current minimum requirements established by the department.
4. Any changes in the living status of the handler which may affect the lodging or environment of the Police Canine shall be reported to the Canine Supervisor immediately and in writing.
5. The Police Canine will only eat the food that is recommended and used by the Canine Vendors Master Handler at the time the canine is initially trained with its handler and placed in the field. This will generally be a high protein, high fat food to accommodate the animal's lifestyle. The Police Canine will only be fed in accordance with veterinarian instructions, and the handler will strictly adhere to the amounts suggested by the food manufacturer. The food rewards will be of the same high quality as the food. The preferred veterinarian via the Canine Supervisor must approve a change in the canine's diet.
6. The handler will keep the Police Canine physically fit and of good hygiene. The canine will be brushed and his eyes cleaned on a daily basis. His teeth will be

brushed and ears cleaned on a weekly basis. He will be bathed at least twice per month and once per week during the summer months. His teeth will be professionally cleaned annually. The handler will inspect the canine regularly for any abnormalities.

7. The handler will ensure that the canine is not unnecessarily subjected to any type of environment that could pose a health risk.
8. The designated Police Canine veterinarian shall render all medical attention, except during an emergency. The handler will be responsible for ensuring that the Police Canine makes his regularly scheduled appointments at the designated veterinarian for routine tests and vaccinations, as well as any needed medical attention. The handler will seek the services of the veterinarian and notify the Canine Supervisor at the onset of any physical behavior change, injury, or external abnormality.
9. The designated veterinarian shall render emergency medical treatment if available. In instances that the Police Canine team is out of town, the closest veterinarian who can adequately perform the services needed shall be used. The handler shall notify the Canine Supervisor as soon as possible when emergency medical care is required. The Canine Supervisor will notify the Operations Bureau Captain in the event of emergencies.

**K. Hazardous Situations**

1. It is not possible to define all instances that a Police Canine should not be deployed. Therefore, the handler shall ensure that the canine is not unnecessarily utilized in any way that could result in serious injury to the animal or himself. The pros and cons of unusual situations shall be evaluated prior to taking any action. Situations that the handler will not deploy a Police Canine include, but are not limited to:

- a. Searches of residential/business attics or any attics with false floors.
- b. Searches of structures that are on fire.
- c. Searches in areas where the surface is covered in shards of broken glass.
- d. Off leash searches in areas where domestic pets are known to be running free.
- e. Instances that would call for the animal to swim in large bodies of water or swift water.
- f. Deployment from a moving vehicle.
- g. Deployment across a high traffic roadway.
- h. Searches of buildings where toxic chemicals are abundant and accessible.

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**L. Police Canines in Public Areas**

All Police Canines shall be kept on a leash when in areas that allow access to the public. Exceptions would include specific police operations for which the Police Canines are trained. Police Canines shall not be left unattended in any area to which the public may have access. When the Police Canine Unit is left unattended, all windows and doors shall be secured.

**V. Operational and Deployment Procedures**

**A. Crowd Control**

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**B. Preparations for Deploying a Police Canine**

Prior to the use of a Police Canine to search for or apprehend any individual, the Police Canine Handler or the supervisor on scene shall carefully consider all pertinent information reasonably available at the time. The information shall include, but is not limited to the following:

1. The individual's age or estimate thereof.
2. The individual's mental state.
3. The nature of the suspected offense.
4. Any potential danger to the public and/or other officers at the scene if the Police Canine is released.
5. The degree of resistance, actively or if any the subject has shown previously.
6. The potential for escape or flight if the Police Canine is not utilized.

**C. Justification for the use of a Police Canine to Apprehend Criminal Suspects**

Canines are a locating tool and a facet of our response to resistance or aggression continuum, generally recognized as a level of force less than deadly force. The use of Police Canines to apprehend suspects is governed by the U.S. Supreme Court decision in *Graham v Connor* and must be analyzed under the Fourth Amendment's objective reasonableness test. When deploying the Police Canine Unit the officers should take into consideration the totality of the circumstances, the information available to the officer(s) at the time of the incident, and employ a three-part test:

1. The severity of the crime.
2. Whether the suspect poses an immediate threat to the safety of the law enforcement officers or others.
3. And whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

**D. Decision to Deploy for Suspect Apprehension**

The decision to deploy a Police Canine for use in a suspect apprehension or suspects in hiding as outlined in this policy shall rest with handler unless an on scene supervisor prohibits the use of the canine.

**E. Apprehension of Suspects in Hiding**

A primary use of Police Canines is for locating suspects in buildings, structures, or dense wooded areas. These searches should be governed by the following:

- 1.
- 2.
- 3.
- 4.
- 5.

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**F. Apprehension of Fleeing or Resisting Suspects**

A handler may use canines to apprehend suspects when it is objectively reasonable to believe that:

1.

2.

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4.

**G. Drug Searches**

1. Police Canine drug sniffs of motor vehicles may be conducted under certain circumstances:

a.

b.

c.

2.

3.

4.

5.

6.

**H. Tracking**

1.

**I. Vehicle Pursuits Involving a Canine Unit**

**J. Police Canines Used for Breeding**

Under no circumstance will a Police Canine of this department be allowed to take part in any breeding purposes while in service or without permission from the Chief of Police.

**K. Canine Call-Outs / Requests**

Mesquite Police Canine Teams will normally be available for off-duty callouts when no Mesquite Canine Team is on-duty. Canine Officers will be scheduled for on-call according to procedures set by the Canine Supervisor. If it is known beforehand that no Mesquite Canine Teams will be available for off-duty callouts for a specific period of time (due to training, illness, injury, etc.), the Canine Supervisor should attempt to check the availability of canine teams from neighboring agencies and provide that information to dispatch and the Watch Commanders in advance.

**1. Requests For Canine**

- a. Mesquite Police Canine Team On-Duty: Any Mesquite police officer may request the assistance of a Mesquite Canine Team on a call or a traffic stop when a Mesquite Canine Team is on-duty.
- b. No Mesquite Police Canine Team On-Duty
  - (1) When there is not a Mesquite Police Canine Team on-duty, a police supervisor will contact the canine unit per the canine call-out schedule. This does not prevent the supervisor from contacting an on-duty canine unit from a neighboring agency that may respond quicker.
  - (2) [

Non-violent felony offenses will be evaluated on a case-by-case basis.

- c. Outside Agency Requests for a Mesquite Canine Team
  - (1) Mesquite Canine Team On-Duty: Any outside agency requests for an on-duty Mesquite Police Canine Team should go through the Watch Commander. At least one on-duty Mesquite police officer shall accompany our canine team to track / search for another agency.
- d. No Mesquite Canine Team On-Duty: If an outside agency requests the callout of an off-duty Mesquite Canine Team, dispatch or a police supervisor should contact the Watch Commander to request the callout. As a general rule, Mesquite Canine Teams will not respond to outside agencies requests for off-duty callouts unless a violent felony has occurred, a perimeter has been established, and there is an exact starting point for a track.
- e. When requesting a canine team callout, the police supervisor will ensure the following information is relayed to the canine team:
  - (1) What type of offense has been committed (is it a felony)?
  - (2) Has a perimeter been established or is one being established?
  - (3) Do we have an exact starting point for a track (has a police officer seen the suspect)?
  - (4) How much time has elapsed since the suspect was last seen?
  - (5) What is the age / approximate age of the suspect(s)?

**L. Deployment Reports and Notifications**

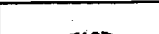

- 1. Each time the Police Canine Team is utilized for any situation, the handler will complete a Canine Usage Report detailing the team's use and involvement in the incident. If the utilization results in contact between the canine and a citizen, a Use of Force Report will also be created.
- 2. Whenever a canine has bitten or scratched an individual or has alleged to have done so, whether or not in the line of duty; the handler shall perform the following:
  - a. Notify the supervisor/unit coordinator.
  - b. If the individual is not in-custody at the time of the bite or scratch and no arrest is made, an ambulance will be summoned to treat/evaluate the individual. Persons who are not under arrest can decide if they want to go to a hospital for further treatment.
  - c. If the individual is arrested:
    - (1) An ambulance will be summoned, regardless of the severity of the injury.

- (2) The prisoner shall be transported to a hospital for treatment for any puncture wound that breaks the skin or if the prisoner requests transport. If the injury is very minor or superficial, the paramedics clear them, and the prisoner refuses transport a supervisor can clear them to be transported directly to jail.
      - (3) If the prisoner will require or requests treatment at a hospital, they may be transported by ambulance or police squad car (if they are cleared by paramedics to do so).
    - d. The officer shall take color photographs of the affected area after the wounds have been cleaned but prior to actual medical treatment, as well as after medical treatment.
    - e. Prepare and submit a Use of Force Report.
- M. Use of the E-Collar Device
  - 1. The E-collar is designed to be a communication and behavior shaping device to enhance the off-leash working relationship between the canine and the handler. The E-collar is not designed and not meant to be used as a punishment device for disobedience.
  - 2. All police canine teams shall receive training in the use of the E-Collar prior to its use.
  - 3. The E-Collar should be fully charged and checked for function prior to each use. The only acceptable placement of an E-collar on a canine is on the neck in accordance with the manufactures recommendations and best practices.
  - 4. The E-collar will not be worn when the canine is off-duty.
- N. Responsibility
  - 1. All members of the Department shall know and comply with all aspects of this directive.
  - 2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.

EFFECTIVE: May, 2017; REVISED: January, 2019





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>248.00 ACTIVE SHOOTER RESPONSE</b>
	<b>Effective Date: JUNE, 2017</b>
	Approved: <u>              Chief of Police         </u>

## I. PURPOSE

The purpose of this policy is to provide protocols for assessing the threat and performing rapid intervention tactics to limit serious injury or loss of life during active shooter situations. While the term “active shooter” is used throughout, this policy applies to all situations where there is an active, ongoing deadly threat, to include those from firearms, explosives, knives, and so forth.

## II. POLICY

It is the policy of this department in situations where deadly force is being used or is reasonably likely to be employed by a suspect, and the delay in taking police action could result in injury or death, that rapid intervention of officers at the scene is authorized when such actions are deemed reasonable to prevent further injuries or loss of life.

### III. DEFINITIONS

**Active Shooting:** One or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others.

**Rapid Intervention:** Immediate response by one or more officers to an active shooting based on a reasonable belief that failure to take action pending the arrival of additional officers would result in death or serious bodily injury.

**Contact Team:** The first officer(s) at the scene of an active shooting tasked with locating the suspect(s) and neutralizing the threat.

**Rescue Task Force:** An organized team of officers who make entry after the contact team to provide protection to medical personnel in the hostile environment.

***Incident Commander (IC):*** The Tactical Team Commander or the highest-ranking officer at the scene.

#### IV. PROCEDURES

[Page 234.16]  
(OR2018-11193)

**300.00 AUXILIARY SERVICES**

301.00 Electronic Recording of Operations.....	237
302.00 Police Building/City Hall Security .....	239
303.00 N-Code System .....	241
304.00 Physical Evidence Section .....	243
305.00 DWI Arrest Procedures.....	245
306.00 Evidence and Impounded Property .....	249
307.00 Handling Prisoners.....	255
308.00 Prisoner Transports from Local Jail Facilities to Mesquite .....	261
309.00 Visitor Identification .....	263
310.00 Flag Display upon the Death of Government Official or Employee.....	265
311.00 Texas Law Enforcement Telecommunications System .....	267
312.00 Communicable Diseases .....	275
313.00 Procedural Guidelines - Suicides or Attempt Suicides in Jail.....	281
314.00 Police Family Support Team.....	285
315.00 Physical and Mental Welfare of Prisoners.....	295
316.00 Mesquite Police Department Workout Facility.....	301
317.00 Crime Prevention Deployment Vehicle Program .....	303
318.00 Fire Emergency Plan.....	307



**Exhibits**

Exhibit No. 300-1 Statutory Authorization Mandatory Blood Specimen.....	247
Exhibit No. 300-2 Visitor Identification Log.....	263
Exhibit No. 300-3 Notification of Possible Exposure to Communicable Disease (Front).....	279
Exhibit No. 300-4 Notification of Possible Exposure to Communicable Disease (Back).....	280
Exhibit No. 300-5 Jail Suicide Checklist.....	283
Exhibit No. 300-6 Workout Facility Release of Liability.....	302
Exhibit No. 300-7 Crime Prevention Deployment Vehicle Program Agreement.....	305

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>301.00 ELECTRONIC RECORDING OF OPERATIONS</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>



- I. Audio Voice Recorder (Communications Center)
  - A. A multi-channel voice recorder shall be utilized to record telephone calls and radio transmissions.
  - B. The Communications shift supervisor shall direct the changing of the DVD when necessary to maintain the system.
  - C. The shift supervisor shall ensure that operations and maintenance of the equipment and retention of recordings conform to procedures.
- II. Video Recordings (Book-In Room)
  - A. Digital Video Recording (DVTEL) equipment shall be utilized to record prisoner book-in and arraignment activities.
  - B. The Station Sergeant shall ensure that all activities in the book-in area are recorded 24 hours a day without interruption.
  - C. Digital Video Recorder operating and routine maintenance procedures will be maintained by the system administrator.
- III. Video Recordings (Intoxilyzer Room)  
All DWI Digital Video Recordings shall be recorded as stated in General Order 305.00 -DWI Arrest Procedures.
- IV. Electronic Mail  
Electronic mail transmitted through the department's computer system is recorded and maintained in an electronic log.
- V. MDC Messages  
Messages transmitted through the department's Mobile Data Computer (MDC) System are recorded and maintained in an electronic log.
  - A. The MDC System is provided for message traffic related to police-related and/or fire-related business only. Messages of a personal nature are prohibited.
  - B. The MDC log is subject to supervisory review, to judicial subpoena, and to public disclosure.
  - C. The MDC log will be printed periodically for supervisory review. Supervisors shall take appropriate action to ensure that inappropriate use of the MDC system is not being made.
- VI. Electronic recordings are subject to supervisory review and judicial subpoena and may be subject to public disclosure.
- VII. Personal Recorders  
Surreptitious recording of conversations between employees of the Mesquite Police Department is prohibited, unless specifically authorized by the Chief of Police.
- VIII. Photographs, Data (Cellular Phones)  
Mesquite Police employees shall not record images or data on cell phones unless there is a legitimate and immediate need to record such information for another member of the Mesquite Police Department or another law enforcement agency. In such cases the evidence must be either transferred to an official MPD storage media or deleted from the phone immediately after the need for the information has passed. Under no circumstances will images or recordings of MPD investigations or accidents be made available to unauthorized persons.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: D/84-13, D/86-13; REVISED: January, 1996; REVISED: March, 1997; REVISED: July, 2000; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>302.00 POLICE BUILDING/CITY HALL SECURITY</b>
	<b>Effective Date: August, 2011</b>
	Approved:  Chief of Police







	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>303.00 N-CODE SYSTEM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Upon completion of a call for service, an officer shall designate the disposition of the call, using the appropriate N-Code.
- II. Acceptable N-Codes are as follows:
  - N-1 Disregard
  - N-2 Duplication of Service Number
  - N-3 No Complainant Located
  - N-4 False Alarm
  - N-5 Non-Police Incident/Medical Incidents
  - N-6 Valid Alarm - No Report
  - N-7 Fire Call
  - N-R Report Made
  - N-A Arrest Made
  - N-C Citation Issued
  - N-I Impound
  - N-0 No Report Made
  - N-X Information Exchanged
- III. Definitions of N-Codes are as follows:
  - A. N-1 Disregard - Utilized when a disposition of a call for service is made before the arrival of an officer. The N-1 code may be initiated by Communications Center personnel only.
  - B. N-2 Duplication of Service Number - Utilized for the second or subsequent call sheet on an incident which has previously been assigned a service number.
  - C. N-3 No Complainant Located - Utilized when the complainant cannot be located (or does not wish to be contacted), and the officer can find no evidence of the activity which prompted the call for service.
  - D. N-4 False Alarm - Utilized when the officer is unable to develop any evidence of criminal activity at the scene of a robbery or burglary alarm.
  - E. N-5 Non-Police Incident - Utilized in the following instances:
    1. An injured person call, where the injury was not the result of possible criminal activity or a motor vehicle accident, and did not occur on city property.
    2. Dog bite complaints (the complainant should be referred to animal control).
    3. Sick calls.
    4. Blood transfers.
  - F. N-6 Valid Alarms - No Report - Utilized in the following instances:
    1. When an officer responds to an alarm call and finds an attempted offense and no complainant could be located or no complainant would respond to the location to submit an offense report. A report could have been taken but was not taken.
    2. When the complainant does not wish to submit an offense report even though an offense has been attempted or committed.
  - G. N-7 Fire Call - Utilized when the only action of the officer is to provide crowd and traffic control at a fire scene, and no crime or police incident (other than arson) is involved.
  - H. N-R Report Made - Utilized when an Offense/Incident Report, Supplemental Report, or Motor Vehicle Accident Report is completed as a result of the call for service.
  - I. N-A Arrest Made - Utilized when the call results in an arrest.

- J. N-C Citation Issued - Utilized when the call results in a citation.
- K. N-I Impound - Utilized when the call results in an impound.
- L. N-0 No Report Made - Utilized when an officer handles a call (other than a False alarm, Non-Police Incident, Prisoner Transfer, or Fire Call) without completing a written report.
- M. N-X Information Exchanged – Utilized when an officer responds to the scene of a motor vehicle crash, determines no reportable criteria are met as outlined in 216.00 I., and fulfills the obligations as outlined in 216.00 III.B.

EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: D/84-30, 77-30, 81-30;  
REVISED: October, 1991; REVISED: July, 2000; REVISED: August, 2011



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>304.00 PHYSICAL EVIDENCE SECTION</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. An on-duty Physical Evidence investigator should participate in the investigation of all:
    - A. Suicides, murders, and deaths under questionable circumstances.
    - B. Shooting incidents involving a police officer.
    - C. Rapes (in a confined area such as a building, vehicle, etc.).
    - D. Robberies (in a confined area such as a building, vehicle etc.).
    - E. Assaults resulting in serious bodily injury.
    - F. Other incidents as required by the circumstances and current departmental procedures.
  - II. The preliminary investigating officer is responsible for recognizing the need for a Physical Evidence investigator. Physical Evidence personnel shall consult with the preliminary investigating officer on request.
  - III. Patrol officers trained and classified as Crime Scene Generalists should be utilized on routine calls, and/or when:
    - A. The Physical Evidence investigator needs assistance at the scene of multiple offenses.
    - B. The Physical Evidence investigator may request that a Generalist be utilized when other conditions exist which would hamper his ability to respond to a call. This request may be made to an on-duty Operations Bureau supervisor.
  - IV. When it has been determined by the preliminary investigating officer that a Physical Evidence investigator is required at a crime scene, it is his responsibility to maintain the security of the crime scene until the Physical Evidence investigator's arrival. Upon his arrival, the Physical Evidence investigator will assume responsibility for securing the scene. Only authorized persons who have first received clearance from the Physical Evidence investigator may enter or remain in the crime scene area. The scene may be released to investigators (or other interested parties) only after the Physical Evidence investigator indicates that it is permissible to do so.
  - V. When no Physical Evidence investigator is on duty, the ranking on-duty supervisor shall determine whether or not an off-duty call-out is warranted, based on the circumstances.
- EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: D/84-34, 78-34;  
 REVISED: January, 1996; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>305.00 DWI ARREST PROCEDURES</b>
	<b>Effective Date: November, 2015</b>
	Approved:  <div style="text-align: center;">Chief of Police</div>

**I. Policy Statement**

Driving while intoxicated (DWI) is a serious threat to our community that causes unnecessary deaths and injuries, many of which are innocent victims. Officers of the Mesquite Police Department should use the procedures listed below in order to prevent crashes and increase the safety of our City's roadways.

**II. General**

- A. A prosecutable DWI case shall not be reduced or dropped without authorization of a lieutenant or above. The authorizing command level officer will make a detailed written report justifying his action.
- B. The arresting officer shall request a criminal history record check regarding each person arrested for DWI and attach the return to the DWI Case Report. If the subject has a previous conviction for DWI within the preceding ten years, then DWI-Subsequent Offense shall be filed in order to preserve the maximum punishment range.

**III. Procedures**

- A. The arresting officer shall complete and file all applicable paperwork regarding the DWI arrest, including commercial motor vehicles.
- B. Officers shall request a blood sample from the arrested person as provided by law. If the arrested person refuses to provide a blood sample the arresting officer shall attempt to gain a search warrant for the arrested person's blood sample.
- C. Taking of a blood sample by consent or warrant will be done within current practices:
  - 1. Determine if blood draw will be consensual or with warrant and select the appropriate paperwork from the jail.
  - 2. Transport the arrested person to the hospital facility currently approved by the department. The jail sergeant will have a list of approved facilities.
  - 3. After the blood draw, secure the prisoner back in the Mesquite Police Jail and log in the blood evidence.
  - 4. Blood evidence should be logged into the property room and placed into the cold storage lockers. Deviation from this protocol may be necessary for special DWI enforcement periods as approved by the Chief of Police.
  - 5. Officers may use the minimal force necessary to serve the blood evidence warrant.
  - 6. A physician, qualified technician, chemist or registered professional nurse are authorized to collect the blood sample.
  - 7. The taking of the sample must be witnessed by an officer of the Mesquite Police Department who shall record the date and time of the sample.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: D/86-48, D/84-48; REVISED: January, 1996; REVISED: November, 1999; REVISED: August, 2011; REVISED: March, 2013; REVISED: November, 2015

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>306.00 EVIDENCE AND IMPOUNDED PROPERTY</b>
	<b>Effective Date: March, 2013</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Purpose  
The purpose of this policy is to establish guidelines for maintaining the integrity of the evidentiary chain of custody on criminal evidence and the management of all impounded property.
- II. Policy  
It is the policy of the Mesquite Police Department to ensure that evidence in its custody as well as other impounded property can be properly secured and stored, readily retrieved, and that any changes in its custody have been properly and fully documented.
- III. Definitions
  - A. Chain of Evidence  
The continuity of the custody of physical evidence, from time of original collection to final disposal, which may be introduced in a judicial proceeding.
  - B. Impounding Officer  
The employee of this law enforcement agency who initially receives the evidence and initiates the chain of custody whether it is criminal evidence or other impounded property.
  - C. Physical Evidence  
Any substance or material found or recovered in connection with a criminal investigation.
  - D. Impounded Property  
All property other than evidence taken into custody either as found, seized, stolen, destruction or for purposes of safekeeping.
  - E. Property Manual  
Book of procedures prescribing the proper methods of impounding property and evidence.
  - F. Property Officer  
Department employee accountable for the control and maintenance of all evidence and other property accepted by or stored in the Property Section. This title includes a property clerk, property technician and property sergeant.
  - G. Property Section  
Facilities authorized by this department for the storage of evidence and property.
  - H. Standard Operations & Procedures Manual  
A guide to improve and maintain the efficiency and/or ensure the integrity of the property system.
- IV. Procedures
  - A. Impounding Evidence or Property
    1. Any officer who initially takes evidence or property into police possession shall make an inventory of those items and complete the computerized property application.
    2. A service number will be required for all evidence or property impounded.
    3. The impounding officer shall properly handle, mark, and package all evidence or property as prescribed in the property manual before depositing items into the property system.

4. The impounding officer is responsible for submitting impounded, seized, or acquired property to the appropriate custodian or designated storage area before the end of his tour of duty.
5. No property or evidence will be stored at the front desk, in lockers, car trunks (except for transfer), closets, or desks. At no time will evidence be left in the custody of a detention officer who is not assigned to the property function.
6. No officer shall release any property or evidence to any person, court, or other agency without executing a Property Release form and forwarding that form to the Property Section.

**B. Special Provisions**

1. Evidence or property of a hazardous nature shall be appropriately packaged and stored in accordance with established policy. Such substances include but are not limited to items which may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste chemicals.
  - a. Explosives, volatile chemicals, and other hazardous materials shall be evaluated by Fire Department personnel prior to transportation or movement. Method of transportation and storage, if required, shall be determined by the Watch Commander or ranking on-duty officer, in consultation with Fire Department officials. Storage facilities at the police firing range may be used for storage of unstable, dangerous, or volatile substances.
  - b. Chemicals utilized in the manufacture, sale, possession, and/or distribution of controlled substances deemed hazardous and of no evidentiary value will require an order of destruction and immediate disposal.
  - c. Chemicals utilized in the manufacture, sale, possession, and/or distribution of controlled substances deemed hazardous with evidentiary value will require the immediate attention of the narcotics supervisor for disposition.
  - d. Biohazard materials will be handled by wearing gloves and packaging as prescribed by the property manual. All needles and syringes will be enclosed in plastic safety holders provided for that purpose, placed in a narcotics plastic bag and dropped in the narcotics drop safe, whether evidence or not.
2. Money and jewelry require an extra degree of security. Money will be counted by two officers and documented on the money envelope provided.
3. Physical evidence taken into custody by CSI/Crime Scene will be inventoried on the computerized property application
4. Impounded bicycles shall be placed in the property bay by the impounding officer. The impounding officer shall make a property application entry.
5. Narcotics, Drugs, and other Controlled Substances
  - a. Narcotics, drugs, or other substances believed to be controlled with the exception of marijuana shall be placed in a narcotics evidence plastic bag as prescribed by the property manual. The narcotics will then be placed in a paper narcotics envelope on which the data section will be completed. The evidence shall be listed on the property application and dropped into the narcotics drop safe.
  - b. Marijuana will be placed into a paper narcotics envelope and the data section completed by the impounding officer who shall list the item on the property application and drop the envelope in the narcotics drop safe.

- c. Quantities of a controlled substance too large to handle in the above manner shall be protected as directed by the Watch Commander or ranking on-duty officer.
  - d. All narcotics evidence (even if the drugs are to be destroyed), shall be placed in a properly completed narcotics evidence envelope, property application completed, and dropped in the narcotics drop safe.
- C. Access by Department Personnel to the Property Section Facilities
  - 1. Property officers shall be the only persons who shall have access to the Property Section and secured areas within.
  - 2. Other department employees may enter the Property Section provided that a property officer is present and the employee signs and dates an entry log stating reason for admittance.
  - 3. Emergency access to the Property Section can be gained with a key stored in a security glass box located in the Communications Center per General Order 102.00.
  - 4. Instructions for the Property Section safe shall be kept by a person outside the Technical Services Bureau as designated by the chief of police.
  - 5. When any change in assignment of the property officers takes place, all keys and codes shall be changed and an inventory will be conducted.
- D. Management of Property and Evidence
  - 1. The property officer will be responsible for receiving, storing, maintaining, releasing, and keeping records for all evidence and property in compliance with procedures as specified in the Standard Operations Procedures Manual for the Control of Evidence and Property. Any deviation from prescribed procedures shall be considered a violation of this general order. All changes and revisions to the Standard Operations Procedures Manual must be authorized through the chain of command.
  - 2. When evidence or property is deposited for storage, the property officer will verify that the property application includes all necessary information to both document and ensure the integrity of the chain of evidence. The property officer will have absolute right of refusal concerning any property or evidence that is not documented correctly or packaged properly.
  - 3. The property officer shall assign a storage location to each item impounded and items requiring extra security to include money, precious metals, jewelry, gemstones, weapons, narcotics and dangerous drugs shall be stored in secured areas.
- E. Inspection of the Property Section
  - 1. On a quarterly basis the Bureau Commander for Technical Services shall make an inspection of storage facilities and records to ensure adherence to policies and procedures.
  - 2. Unannounced inspections of storage areas shall be conducted semi-annually as directed by the Chief of Police and monitored by a designate of his choice. The monitor should be selected from someone outside the Technical Services chain of command.
  - 3. An annual inventory of all property and evidence shall be conducted and monitored by a lieutenant or above not routinely or directly connected with the control of evidence and property.
- F. Disposal of Evidence and Property
  - 1. When no longer needed for evidentiary purposes, all evidence, with the exception of contraband, shall be returned to its lawful owner unless title to the evidence is transferred to the jurisdiction by court order or the lawful owner fails to claim the property. In such cases the department may, as permitted under state law:

- a. Destroy it;
  - b. Dispose of it by public auction; or
  - c. Retain it for use by the jurisdiction.
- 2. Non-drug contraband shall be destroyed unless a court order authorized use of the item by the department.
- 3. Disposal of Weapons
  - a. Weapons will not be released without a court order except those that have been held for safe-keeping. In compliance with federal law, weapons will not be released to convicted felons.
  - b. If the weapon is held for evidence in a criminal case, the magistrate hearing the case shall issue a court order disposing of the weapon in accordance with Article 18.19 of the Texas Code of Criminal Procedure.
  - c. For weapons seized and held for safekeeping or where there was no prosecution for an offense and the owner has not claimed the weapon, a certified letter will be sent to the owner. If the owner does not claim the weapon within 90 days of receipt of the letter, the property officer will obtain the appropriate court order for disposal.
  - d. Weapons and weapon parts that are to be disposed of shall be destroyed in accordance with a destruction order and monitored by an investigator outside of the Technical Services Bureau.
  - e. Weapons that are deemed suitable for department use may be retained by the department in accordance with this directive.
- 4. No destruction of drugs will take place without a court order signed by a district court judge. When a drug destruction order is carried out, the Chief of Police shall assign an investigator to monitor the entire destruction process.
  - a. The monitor will observe the loading of the items to be destroyed, accompany the items to the destruction site, and observe the entire destruction process.
  - b. During the destruction process, the monitor shall select a random sample of items to be destroyed and have these items quantitatively and qualitatively tested by the department's laboratory and compared to prior test results by the laboratory. If no discrepancies are found, the items should be returned to the Property Section for inclusion in the next planned destruction.
  - c. Upon completion of the destruction process, the monitor shall submit a report to the Chief of Police which shall include:
    - (1) Date, time, and location of the destruction;
    - (2) Inventory of items destroyed
    - (3) A list of persons present at the destruction; and
    - (4) The results of the random tests.
- G. Law Enforcement Use of Impounded Property
  - 1. The law provides for the law enforcement use of certain abandoned or forfeited items, with strict adherence to legal guidelines. The policy of the Mesquite Police Department is to ensure that strict control is exercised over decisions to convert property to law enforcement use.
  - 2. Seized or abandoned property shall not be converted to law enforcement use without a signed court order and the personal written authorization of the Chief of Police.
  - 3. Requests for conversion of seized or abandoned property for placement into issue or other police use shall be submitted to the Chief of Police through the chain of command on the application form titled "Request to Use Abandoned or Seized Property".



- a. The request shall fully document the need for the property.
  - b. If the need is temporary, the request shall indicate the date which the item will be returned.
  - c. The request shall include a provision for the personal signature of the Chief of Police.
  - d. The Property Section personnel shall maintain a permanent file regarding all property converted to police use to include full documentation on all property so converted.
  - e. All property converted for police use will be returned to the Property Section when no longer in use.
- H. Personnel Acquisition of Auctioned Property
- 1. Police personnel assigned to the Property Section and police supervisors with supervisory or administrative responsibility over the Property Section shall not bid on or otherwise acquire property auctioned following storage in the Police Property Section.
  - 2. Police personnel subject to provision H.1. (above) shall not knowingly permit family members to bid on or otherwise acquire property auctioned following storage in the Police Property Section.
  - 3. The foregoing provisions are not intended to prevent the listed personnel from purchasing city surplus items made available to police personnel generally.
- I. Field Release of Property
- 1. There will be times when evidence and property may be released in the field. For felony cases, authority to field release a piece of property will be left to the investigating detective or on-scene supervisor.
  - 2. For misdemeanor cases, the officer in charge on scene will determine whether property or evidence may be released at the scene. If possible, photographs should be taken before release and all pertinent information relating to the property will be documented in a report.
  - 3. Documenting the property on in-car video can be done in place of photographs.
  - 4. A Mesquite Police Department Property Release Form will be completed and signed by the person receiving the property. This form should then be turned over to the assigned investigator or logged into the MPD Property Room.
  - 5. The items will be returned to the rightful owner.

EFFECTIVE: April, 1986; FORMERLY: D/86-54, D/85-54; REVISED: September, 1990; REVISED: January, 1992; REVISED: May, 1994; REVISED: January, 1996; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>307.00 HANDLING PRISONERS</b>
	<b>Effective Date: January, 2019</b>
	<b>Approved:</b>  Chief of Police

**I. Policy Statement**

Taking away someone's liberty comes with great responsibility. When a person's liberty is removed, we have also removed their ability to care for themselves, so their care becomes our primary concern. Restrained in a cell, a prisoner has no ability to feed themselves, go to the doctor or escape from danger. Thorough searches to ensure there are no weapons or other dangers allowed in the jail, and evaluating the mental and physical wellbeing of prisoners to ensure they receive any needed medical attention are solely our responsibility.

**II. Procedure**

- A. The arresting officer is responsible for a thorough field search of a prisoner, for weapons or other contraband. The officer is required to take steps necessary for self-protection, protection of other police employees, citizens and of the prisoner.
- B. A standard field search of a prisoner will include a frisk or pat down of the outer clothing, with particular attention to the waistband, pockets, socks, boots, coats, and other areas where a weapon or other contraband is commonly concealed, together with restraint of the prisoner by handcuffs, and transportation to the police facility. All bags, packages, and purses shall be confiscated and searched for contraband and potential weapons.
- C. Ideally prisoners should be searched by an officer of the same sex. If an officer of the same sex as the prisoner is available, the arresting officer should request a same sex officer to respond and search their prisoner. If no same sex officer is available, officers are allowed to search prisoners of the opposite sex. When conducting a search of female prisoners, male officers shall use either the blade of their hand or the back of their hand to search areas other than waistbands and pockets. If the female prisoner is wearing tight clothing, a visual evaluation for potential weapons or contraband may be acceptable.
- D. All searches shall be captured either on body worn camera and/or dash camera, preferably both if possible. When searching prisoners of the opposite sex, officers shall inform the subject what is happening and advise them the search is being recorded. Example- "I am about to conduct a search of your person, this will be recorded by my body camera and/or dash camera" If camera equipment malfunctions or is not operational, officers shall still search the prisoner. Any such malfunctions shall be documented in the arrest report and a supervisor notified.
- E. Search procedures other than those described as "Standard Field Searches" may be justified where the officer has reason to believe the safety of any person may be compromised by reliance on a standard field search.
- F. Prisoners shall not be restrained, either in transport or at the detention facility, using the "hog-tie" procedure [whereby the prisoner's wrists and ankles are bound together behind his back while in a prone position]. Sufficient manpower shall be used to ensure the safety of a violent prisoner in transit; the restraint chair shall be used to humanely restrain a prisoner at the detention facility.
- G. All arrested persons will be searched prior to transport in accordance with current policy.
- H. The transport vehicle should be searched for weapons and contraband before and after any prisoner transport.
- I. Prisoners shall be monitored while in transport to the jail or other location. At no time should a prisoner be left unattended in a transport unit. This is for the protection of the prisoner and his/her well-being and safety for the officer.

**III. Transport**

- A.** Prisoners shall be restrained with seat belts during transport unless such restraint is clearly impossible, impractical, or an impediment to officer safety. The transporting officer is responsible for ensuring that adequate safety restraints are used during transport.
- B.** Any prisoner that is sick, injured, or disabled may require special means of transportation. The Mesquite Fire Department may be used to transport sick, injured or disabled persons to a medical facility to be treated prior to arrival at the jail.
- C.** Only departmentally approved restraining devices may be used for transportation.

**IV. Book-in Procedures for Adult Prisoners and Officer's Responsibilities.**

**A.**

- B.** Officers shall immediately notify the Station Sergeant of any suicidal indicators, serious medical problems or injuries the prisoner has, whether received pre-arrest, during or post-arrest, prior to the prisoner's removal from the holding cell.
- C.** The arresting officer will ensure the prisoner remains handcuffed while in the holding cell. The prisoner will not be removed from the holding cell until the detention officer advises they are ready to take custody of the prisoner and prisoner's property.
- D.** Any property belonging to a prisoner in the custody of the arresting officer (purses, wallets, taped knives, identification, prescription drugs, etc.) shall be handed to the detention officer and not left on the counter or in the control booth.
- E.** The arresting officer shall verify the quantity of personal property taken from the prisoner by independently counting this property after it is inventoried by the detention officer, and counter-signing in the appropriate blank on the book-in sheet.
- F.** The arresting officer shall complete the book-in form. Officers from other agencies (Eastfield, DPS) shall be assisted in completing this form by a detention officer, a police officer or other MPD employee familiar with this process.
- G.** The arresting officer is responsible for running a wanted check on all prisoners he or she arrests. If the system is down and this check cannot be conducted before the arresting officer is prepared to clear, a notation to that effect will be made at the close of the arrest narrative by the arresting officer.
- H.** The arresting officer is responsible for obtaining a copy of all warrant confirmations involved in an arrest and forwarding these to the detention officer for attachment to the book-in form. If a warrant confirmation is not readily available at the time of book-in, the arresting officer shall ensure the detention officer is aware the confirmation is forthcoming and provide a copy of the handwritten 'hit'.
- I.** All police officers arresting and booking a person into the Mesquite City Jail shall ensure the arrest and book-in are approved by the Station Sergeant or in his/her absence, any police supervisor.

**V. Book-in Procedures for Juveniles and Officers Responsibilities.**

- A.** Upon arrival to the Mesquite Police Station, the arresting officer shall search the prisoner, or in the case of a prisoner of the opposite sex, shall secure a search of the prisoner.
- B.** All property shall be taken from the juvenile, and inventoried on existing forms provided for that purpose. This inventory shall be conducted jointly by the arresting officer and a detention officer for verification.
- C.** All property taken from the juvenile, not retained as evidence or for other reasons, shall be placed into a property bag, and sealed. This bag will then be placed inside a locker in the juvenile book-in area.





- D. Property taken from a juvenile shall not be opened until the juvenile's parent/guardian is present, or the juvenile is transported to a juvenile detention facility.
  - E. The juvenile will not be left unattended and will remain within visual and auditory range of the arresting officer until that responsibility is verbally accepted by another police officer, the desk officer or detention officer.
- VI. Detention Officers Responsibilities.
- A. The detention officer shall ask the arresting officer on camera if the prisoner has any indication of serious medical problems, injury or suicidal intention prior to removing the prisoner from the holding cell. If the arresting officer advises any of these conditions exist, the Station Sergeant or other supervisory officer, must authorize removal of the prisoner from the holding cell unless immediate medical attention is required.
  - B. The detention officer is responsible for a thorough search of the holding cell upon removal of each prisoner.
  - C. The detention officer will inventory the prisoner's personal property immediately upon the prisoner's entry into the detention area. This inventory shall be conducted in the area monitored by the book-in property camera.
  - D. Detention officers will count aloud and record money by denomination on the book-in form in the appropriate blanks. All other property will be logged in the designated area of the book-in form.
  - E. Detention officers shall ensure the arresting officer recounts all monies or other valuables received from the prisoner and verify these by countersigning in the appropriate blank on the book-in form.
  - F. The prisoner shall be asked to verify the property count recorded by the detention officer and counter-signed by the arresting officer by signing his/her name in the appropriate blank on the book-in form.
  - G. The detention officer shall store all property received from a prisoner in a heat-sealed plastic bag bearing the prisoner's name and date of arrest. The property will then be placed in a numbered, secured locker and that locker number will be recorded on the prisoner's book-in sheet.
  - H. The detention officer shall ensure an intake thumbprint taken from the prisoner is placed in the appropriate blank on the book-in form. If the prisoner refuses to cooperate or resists, the Station Sergeant or another on-duty supervisor shall be consulted to direct further action.
  - I. All prisoners entering the Mesquite Jail will be photographed and fingerprinted, and their identities will be confirmed before they are released. Only employees trained in the use of the Livescan Capture Station will use the equipment and they will only use their own log-on to fingerprint and photograph prisoners. Following fingerprinting, the following steps will be used to ensure all prisoners are identified:
    - 1. The detention officer will print two copies of the prisoner's photograph. One on the back of the fingerprint card and one to be included in the arrest packet for visual identification prior to release.
    - 2. The detention officer who fingerprinted the prisoner will be responsible for reviewing the Livescan Identification Report and confirming that the SID number listed matches the prisoner's SID number from his criminal history.
    - 3. If the SID numbers match, the verifying detention officer will place a copy of the arrest report, a copy of the criminal history return and the Livescan Identification Report with a fingerprint card. The detention officer will place his/her initials and ID number on the front of the document signifying that the numbers match.
    - 4. If the numbers do not match, the detention officer will run a new criminal history based on the SID number from the Livescan Identification report and bring all documents to the station sergeant for review.

5. Once the prisoner is identified, the initialed packet will be placed in the Crime Scene box for review and filing.
  6. Advise the prisoner he/she will not be released, nor will they be afforded any jail privileges until the book-in process is completed.
  7. If the prisoner remains uncooperative the Station Sergeant or Watch Commander shall be notified, who shall explain the procedure and results of failure to comply with the process.
  8. Should the prisoner still refuse to comply with fingerprints or mug shots, a lieutenant or above may, after personal review of the totality of the circumstances, authorize the use of minimal force to fingerprint the prisoner. Force shall not be used to acquire fingerprints without the personal authorization and personal presence of a lieutenant or above. If, in the considered opinion of the lieutenant or above, more than a minimal level of force will be required to fingerprint the prisoner, he shall direct that the prisoner be placed in a cell until such time as the fingerprints may be obtained without excessive resistance by the prisoner.
- J. All prisoners shall be allowed to make a telephone call during the book-in process unless violent, highly intoxicated, or under other circumstances requiring a delay. The Station Sergeant or other on-duty supervisor shall be advised of any circumstances delaying this telephone call for more than four hours. The detention officer shall fully document the reason(s) for such delay in the narrative of the arrest report. If a request is made by an investigator of the Criminal Investigations Bureau which would delay a prisoner from making a phone call for more than four hours after the time of book-in, the station sergeant will contact the supervisor of the investigator making the arrest and establish a time when the arrestee may make a phone call.
- K. Juvenile prisoners shall be allowed to keep one layer of clothing only. Any potentially hazardous item or accessory that poses a potential danger to the prisoner, other prisoners or police personnel shall be taken from the prisoner.
- VII. The detention officer is responsible for a thorough search of a prisoner for weapons or other contraband, before the prisoner is placed in a cell.
- A. If the detention officer is of the opposite sex from the prisoner, the detention officer shall summon an employee of the same sex as the prisoner to perform the search. Employees of the same sex as the prisoner shall be selected from the following list, in descending order of priority:
1. An on-duty commissioned officer or detention officer present in the book-in room.
  2. An on-duty, non-supervisory commissioned officer present in the police facility, unless that officer is unavoidably committed to other police duties and is expected to remain so for a significant length of time.
  3. A non-supervisory commissioned officer on duty in the field, unless that officer is unavoidably committed to other police duties and is expected to remain so for a significant period of time.
  4. An on-duty communications operator.
  5. An on-duty supervisory officer.
  6. An off-duty commissioned officer, recalled to duty for the purpose of performing the search.
  7. If no employee of the same sex as the prisoner is on duty or can be recalled to duty, the assistance of a police agency in a neighboring jurisdiction will be requested.
- B. A search of an unresisting female prisoner shall not be performed in the presence of a male prisoner, male visitor, or male employee.

- C. When a search is performed by a non-uniformed civilian employee, the arresting officer shall remain within hearing distance, in order to provide assistance to the civilian employee, if required.
  - D. A Detention Officer is responsible for a thorough re-search of a prisoner for weapons or other contraband before a prisoner is returned to the cellblock following an interview, visitation, trusty assignment, etc.
- VIII. Strip Searches
- A. A strip-search will not normally be done, but may be required where there is reasonable grounds to suspect the prisoner may be concealing contraband on his person. Such reasonable grounds might include, but not be limited to:
    - 1. An arrest on a drug-related charge(s).
    - 2. A criminal history which includes a recent drug-related arrest.
    - 3. Evidence of drug usage, such as an altered mental state, needle-marks, etc.
    - 4. An arrest for, or suspicion of, an offense which by its nature could involve evidence or contraband concealed on the person.
    - 5. Other reasonable grounds, as approved by a supervisory officer.
  - B. When there is a reasonable belief that a strip-search is necessary, the strip-search must have prior approval by the Station Sergeant or other supervisory officer.
  - C. All strip-searches shall be conducted in a room without a video recording camera. Strip searches shall be conducted by same gender departmental personnel.
  - D. The Station Sergeant or other supervisory officer must be present in the book-in area during the period any strip-search is being conducted. The officer(s) and/or detention officer(s) conducting the search are responsible for ensuring a supervisor is present prior to conducting a strip-search.
  - E. All strip searches shall be documented by the jail supervisor, detailing that the search was done, and what supervisor authorized the search.
  - F. If a search of body cavities is required, it shall be performed by medical personnel and shall be approved by a supervisor.
  - G. All body cavity searches shall require a special memorandum from the authorizing supervisor submitted through the chain of command detailing the incident.
- IX. Responsibilities of the Station Sergeant or other Police Supervisor Acting as Station Sergeant
- A. The Station Sergeant shall be responsible for reviewing all factors as outlined in Written Directive 315.00 III. D. to determine if the prisoner's overall mental and physical condition permits his or her incarceration in the Mesquite Detention Facility or if immediate arrangements should be made for the relocation of the prisoner to another facility. A decision to transfer, release, issue a citation, file an at-large case, etc. will be referred to the Watch Commander for approval.
  - B. The Station Sergeant will record on the book-in form all information necessary for detention personnel to provide adequate care and observation of the prisoner.
  - C. The Station Sergeant shall ensure completeness and accuracy of the report, including appearance, grammar and spelling to ensure the continued professional reputation of the Mesquite Police Department and the credibility and professionalism of the individual officer.
  - D. The Station Sergeant will prepare or delegate, review and initial reports involving:
    - 1. injury to a prisoner of employee while in the detention facility,
    - 2. use of pepper spray in the detention facility,
    - 3. use of the restraint chair,
    - 4. destruction or damage of city equipment within the detention facility,
    - 5. special reports as outlined in Written Directive 103.00.

EFFECTIVE: February, 1988; REVISED: September, 1990; FORMERLY: D/88-72, D/86-72;  
 REVISED: January, 1996; REVISED: March, 1997; REVISED: April, 1999; FORMERLY: 308.00;  
 REVISED: August, 2011; REVISED: March, 2013; REVISED: January, 2019




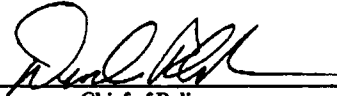
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>308.00 PRISONER TRANSPORTS FROM LOCAL JAIL FACILITIES TO MESQUITE</b>
	<b>Effective Date: August, 2003</b>
	Approved:  Chief of Police

I. The following guidelines will be followed when patrol personnel are dispatched to transport prisoners from local jail facilities to the Mesquite Jail.

A.
B.
C.

EFFECTIVE: January 1996; REVISED: August, 2003; FORMERLY: 308.50



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>309.00 VISITOR IDENTIFICATION</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div align="center">   <b>Chief of Police</b> </div>



- I. Visitor badges will be issued to and required of all persons (other than City of Mesquite employees, uniformed law enforcement officers, and prisoners) who enter a secure area of the police facility.
  - II. "Secure area of the police facility" currently means that area accessible only through normally-locked doors or any area requiring access with a key fob or key card.
  - III. Visitors will receive visitor badges at the Police Information Desk. Visitors shall present valid identification, such as a driver's license or other valid picture I.D. card, which shall be retained at the Information Desk until the visitor turns in his visitor badge upon leaving the area.  
Exceptions:
    - A. Law enforcement officers in uniform shall not be required to wear a visitor badge.
    - B. Law enforcement officers in civilian clothing, employees of the contract janitorial service or contract maintenance firms engaged in work for the city in the secure area of the building shall not be required to present identification if they are known to or identifiable by the employee authorizing admittance. Such individuals shall be requested to return their visitor badges upon leaving the secure area.
    - C. Visitors without a valid picture identification card or Driver's License will be issued a visitor badge at the discretion of the admitting employee.
  - IV. Individual visitors will be issued a plastic-laminated, clip-on style visitor badge for the duration of the visit. Badges will be color coded to designate what area the visitor is allowed to enter. A list of current badge colors will be maintained at the front desk. Visitors will be signed in and out on a log maintained at the front desk.
  - V. The employee who authorizes admittance to the secure area, whether the front desk detention officer or police officer, CID investigator, Physical Evidence investigator, Community Policing Tour Guide, etc. shall be responsible for requiring the visitor to be identified with a visitor badge.
  - VI. The employee who authorizes admittance to the secure area shall be responsible for ensuring the visitor's name, location to be visited, and the date and time are recorded on the visitor log. (Tour groups shall be logged by group name, rather than listing each individual name.)
  - VII. The employee in charge of the log shall ensure the time the visitor leaves is recorded on the log, and that the plastic-laminated badge is returned as the visitor leaves the secure area.
  - VIII. Visitors to offices in non-secure areas of the police facility will not be required to wear visitor badges.
  - IX. Non-secure areas of the facility are limited to those that are adjacent to the main lobby area accessible only through walk up windows and areas not requiring key fob or key card access.
- EFFECTIVE: May, 1989; REVISED: September, 1990; FORMERLY: D/89-79; REVISED: August, 2011

Mesquite Police Department Prisoners' Visitor Log								
Visiting Hours: 2:00 p.m. – 4 p.m.								
Date	Time	Visitor's Name	D.L.#	Address	City	State	Prisoner's Name	Relationship

**Exhibit No. 300-2 Visitor Identification Log**





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>310.00 FLAG DISPLAY UPON THE DEATH OF GOVERNMENT OFFICIAL OR EMPLOYEE</b>
	<b>Effective Date: September, 1990</b>
	Approved: _____ <div align="center">           Chief of Police       </div>

Reference: USC Chapter 10 and VCS Article 6139

The purpose of this order is to establish guidelines for the display of the United States flag and the Texas flag upon the death of a government official or employee.


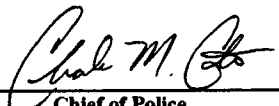
The policy of the Mesquite Police Department is to display the flag of the United States of America and the flag of the State of Texas in accordance with federal statute, state statute, and appropriate custom and tradition.

**PROVISIONS:**

- I. The flag of the United States and the flag of the State of Texas may be displayed at half-staff in memory of a government official or Texas law enforcement officer
  - A. past or
  - B. present.
- II. The flag of the United States and the flag of the State of Texas may be displayed at half-staff
  - A. on the day of the official's or employee's death, and
  - B. on the day of the official's or employee's memorial service.
- III. These honors will not be accorded to
  - A. any official or employee who left under less than honorable circumstances, and
  - B. any official or employee whose death was a result of the deceased's unlawful actions.
- IV. As a practical matter, this observance will be limited to those deaths brought to the attention of the Chief of Police.

**EFFECTIVE: September, 1990**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>311.00 TEXAS LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM</b>
	<b>Effective Date: May, 2016</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

**I. Policy Statement**

The Mesquite Police Department recognizes the importance of CJIS integrity as well as NCIC, TCIC, and warrant enforcement. These databases are maintained by other entities, but police operation is controlled by the Department. This policy stipulates how police employees will handle NCIC, TCIC and warrant entries and how to keep access terminals secure. Inquiries made to any database accessed through Departmental systems will only be for a legitimate law enforcement purpose.

**II. Procedure**

- A. All Public Safety Dispatchers shall read all TCIC and TLETS newsletters and all posted notices. All notices 2002 and later can be found on the TCIC website. A permanent file of notices prior to 2002 shall be maintained in the Communications Center for reference.
- B. Each terminal with TCIC/NCIC access shall be kept secure at all times to restrict access to authorized personnel only. Each person who has access will receive the required security awareness training within six months of employment and adhere to CJIS training policy thereafter.
- C. All problems relating to TCIC/NCIC will be forwarded to a Communications shift supervisor and the Terminal Agency Coordinator (TAC) for resolution.
- D. The department's participation in the TCIC/NCIC system is conditional upon adherence to policy as set out in the NCIC Operating Manual. The department is subject to audit by the DPS and/or FBI for compliance with all TCIC/NCIC policies.
- E. Information obtained through the TLETS system shall be requested and utilized for valid criminal justice purposes only. Unauthorized use of the TLETS system is a criminal offense (481.085 Texas Government Code) and may result in criminal prosecution as well as disciplinary action up to and including termination.
- F. Entering, maintaining, or validating inaccurate records can have serious consequences for the public and the department. Negligence in entering, maintaining, or validating these records may result in disciplinary action.
- G. Original Class C warrants are maintained and audited by the Municipal Court.

**III. Who Can Request TLETS Information**

- A. General
  1. Within the department, only commissioned officers and other authorized persons may request teletype inquiries of any kind.
  2. A request from outside the department may be honored at the direction of the Communications Supervisor, or a command level officer, when the identity of the requestor can be verified as a commissioned officer, or other authorized person (probation officer, parole officer, judge, prosecutor, etc.) who is making the request for a criminal justice purpose.
- B. Stolen and Wanted Information
  1. Stolen and wanted information can be requested by officers as needed. The information can be broadcast over the radio without restriction.
  2. A check will be made for TCIC/NCIC warrants on all incoming arrestees, and on all prisoners prior to their release, using all alias names, dates of birth, and identifying numbers.

3. When an NCIC inquiry yields a hit, the terminal operator will provide all available identifiers from the hit to the investigating officer. The terminal operator cannot confirm that the person or property being investigated is the same person or property identified in the hit. Only the investigating officer can make that determination.
  4. Hit confirmation will be obtained from the entering agency before taking any of the following actions on hits:
    - a. arresting the wanted person,
    - b. detaining the missing person,
    - c. seizing the stolen property.
- C. Criminal History Information
1. Criminal history information is confidential and certain restrictions apply to the purposes for which it can be requested and how it can be disseminated.
  2. Who can request Criminal History information:
    - a. Within the department, only commissioned officers and other authorized persons can request criminal history checks. These requests may be made through appropriate support personnel. Logging, as indicated below, is mandatory.
    - b. Requests from outside the department may be honored at the direction of the Communications Supervisor, or a command level officer, when the requestor can be verified as an authorized person as indicated in PART 10 of the NCIC Operating Manual, "Who May Access Criminal History Data." Logging, as indicated below is mandatory.
  3. Purposes for which Criminal History information can be requested:

A Computerized Criminal History (CCH) can only be requested for a criminal justice investigation or background investigation of a criminal justice applicant (applicant at the police department, sheriff's office, or other criminal justice agency, not at a non-criminal justice city or county office). It cannot be requested by anyone regardless of rank or status for any other purpose. Communications personnel will report to their supervisor any CCH inquiries known to be for unauthorized purposes.
  4. Logging of Criminal History inquiries:
    - a. The title, first, and last name of the requestor will be logged in the REQ field. The title, first, and last name of the person actually operating the terminal will be used in the OPR field. No initials or nicknames are allowed. The Request For Inquiry (RFI) field is mandatory and a specific reason shall be listed, along with the service, arrest, case or other number associated with the request. If the requestor is an authorized person from outside the department, his name and the name of their agency will be placed in the REQ field.
    - b. Each QR, IQ, FQ, and AQ transaction will be logged in the ATN field in the same manner as described above for the REQ field in the QH transactions.
  5. Dissemination of CCH information:
    - a. The Criminal history information obtained over the TLETS system will be given only to the person listed in the REQ or ATN fields, or in the written log. It may be passed to that person through an appropriate support person.
    - b. The officer receiving the information is responsible for keeping the printout secure and immediately returning it to the appropriate file or properly disposing of it.

- c. Any dissemination of Criminal History information outside the department must be logged in the manual log in the Communications Center (other than a routine dissemination to the District Attorney as part of the case file).
- d. An audit trail of the handling of Criminal History printouts within the department will be maintained by keeping the printout with the case file at all times, or by disposing of it immediately after its use when there is no case file.
- e. Officers requiring a printout of the CCH will advise the terminal operator to "Hold" the printout. The officer requesting the printout must sign the Disposition of Printout log that will be maintained in the Communications Section. If a printout is not requested the return will be shredded. When there is no longer a need for CCH printout, it shall be returned to the Communications Center for shredding.
- f. Broadcasting of CCH information on the radio:
  - (1) NCIC policy states that the radio will not be used routinely for the transmission of criminal history beyond that information necessary to effect an immediate identification or to ensure adequate safety for the officers and the general public.
  - (2) It is the officer's responsibility to request criminal history information over the air only when he has determined that there is an immediate need for the information to further an investigation, or there is a situation affecting the safety of an officer or the general public. The terminal operator will then broadcast details of the criminal history record.
  - (3) The terminal operator will not indicate over the radio whether or not a subject has a CCH in situations where the officer has not determined a need for the record information.
  - (4) Criminal History responses are possible indications only. Positive identification requires fingerprint comparison.

#### IV. Record Entry - Property

- A. Record entries will be made only by the Communications Section.
- B. Records will be entered only when a valid theft report is on file or other TCIC/NCIC entry criteria are met.
- C. The record will be entered as soon as possible after the theft report has been received.
- D. It is the Investigating Officer's responsibility to:
  - 1. Ensure that an official theft report is made,
  - 2. Ensure that all information in the theft report is accurate and that all required information is included, and
  - 3. Provide the information to the terminal operator as soon as possible.
  - 4. Ensure that the NCIC number is electronically recorded in the report within the records management system.
- E. It is the Terminal Operator's responsibility to:
  - 1. Verify the information meets TCIC/NCIC entry criteria.
  - 2. Verify vehicle registrations through DMV and boat registrations through the Parks and Wildlife Department.
  - 3. Coordinate with the investigating officer to obtain complete information when it is not on the report.
  - 4. Enter the record as soon as possible after receipt of a theft report.
  - 5. Bring to the attention of the shift supervisor any missing or incorrect data. Enter the record with available data, if possible, and modify the entry with additional data as soon as possible.

6. Double check the information on the screen before entry.
  7. Submit to a second authorized terminal operator for verification of entry.
  8. Provide the NCIC number to the reporting officer.
- V. Record Entry - Persons
- A. Records will be entered only when a valid warrant or missing person report is on file or other NCIC entry criteria are met.
  - B. The record will be entered as soon as possible after the warrant or missing persons report has been received.
  - C. It is the investigating officer's responsibility to:
    1. Make sure that an official warrant is issued or missing persons report is made.
    2. Make sure all information in the warrant or missing persons report is accurate and all required information is included.
    3. Obtain a forecast of extradition of wanted persons.
    4. Provide the information to the Communications Section as soon as possible. (Missing Juveniles shall be entered within two hours of the initial call as required by the Adam Walsh Child Protection Act of 2006.)
    5. Ensure that the NCIC number is electronically recorded in the report within the records management system.
  - D. It is the Terminal Operator's responsibility to:
    1. Verify that the information in the warrant or missing persons report meets TCIC/NCIC entry criteria.
    2. Verify vehicle registrations through DMV, and identification information through DL and CCH checks. Include in the entry alias information from DL and CCH returns, but only when there is a high substantial degree of certainty that DL and CCH returns are for the subject of the warrant, i.e. pack the record with information.
    3. Coordinate with the investigating officer to obtain complete information when it is not included in the warrant or missing person report.
    4. Bring to the attention of the shift supervisor any missing or incorrect data. If possible, enter the record with available data, and modify the entry with additional data as soon as possible.
    5. Enter the wanted person record into TCIC only or into TCIC and NCIC, as indicated by the forecast of extradition.
    6. Double check the information on the screen before entry.
    7. Write the NCIC number, date, and terminal operator's initials on the warrant or missing persons report.
    8. Submit to a second authorized terminal operator for verification of entry.
    9. After second verification, the report is to be placed in the Records folder.
- VI. Hit Confirmation
- A. During NCIC/TCIC and Regional hit confirmation, whether this agency is requesting it from, or providing it to, another agency, the Department must accomplish the following:
    1. Ensure that the person or property inquired upon is identical to the person or property identified in the record.
    2. Ensure that the warrant, missing person report, or theft report is still outstanding.
    3. Obtain a decision regarding the extradition of the wanted person.
    4. Obtain information regarding the return of the missing person to the appropriate authorities.
    5. Obtain information regarding the return of stolen property to its rightful owner.
  - B. Confirmation requests of MPD records:
    1. The terminal operator on duty will reply to all non-regional requests for hit confirmations within the designated time frame listed on the teletype request.
    2. Current NCIC policy establishes two priorities for confirmation.

- a. **Priority 1 - Urgent**  
Confirm the hit within ten minutes. In those instances where the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation of a hit, the highest level of priority should be used.
  - b. **Priority 2 - Routine**  
Confirm the hit within one hour. Generally, this priority will be used when the person is being held on local charges, property has been located under circumstances where immediate action is not necessary, or an urgent confirmation is not required.
3. If the terminal operator is unable to provide the positive or negative confirmation within the specified time, he will immediately send a message to the requesting agency giving them a specific amount of time needed to confirm or deny.
4. All confirmations will require a teletype. A "Hit" may be confirmed by telephone, but a confirmation by administrative teletype, or YQ, must follow.
- C. Confirmation requests to another agency for their records:
  1. It is the terminal operator's responsibility to:
    - a. Notify the officer of the hit, and give all identifiers available from the hit and confirmation in order that the officer can identify the person or property being investigated as the subject of the hit.
    - b. Notify the officer that confirmation is being requested.
    - c. Send a teletype to the agency that made the NCIC/TCIC entry using the established format (YQ) for requesting Hit confirmation. Upon request the operator will designate the priority of the request in the Hit Confirmation Request Number (RNO) field, and fully describe the person or property in custody. Regional warrants may be confirmed by phone.
    - d. If within the designated time frame the entering agency does not provide confirmation, or the specific amount of time they need to confirm or deny, the operator will send another YQ requesting confirmation to the agency, placing a number 2 in the RNO field:
    - e. If within 10 minutes after the second request the agency does not provide the confirmation, the operator will ensure a teletype is automatically generated and sent to the TCIC Control Terminal at DPS in Austin; to the NCIC Control Terminal in Washington, D.C.; and, if the entering agency is an out-of-state agency, to the entering agency's NCIC Control Terminal, at the NLETS ORI found in the back of the introduction of the NCIC Operating Manual. (Note- this does not apply to Regional warrant hits.)
  2. It is the officer's responsibility to:
    - a. Understand that the hit alone is not probable cause to arrest. The hit confirmed with the originating agency is one factor to be added to other factors at the scene to arrive at an arrest decision.
    - b. Understand the hit confirmation process and ensure that the person/property being investigated or in custody is the same as the person/property of the record.
- D. After a hit confirmation has been received from another agency, the terminal operator shall place a locate on that record, if it has not been cleared by the entering agency.
- E. Hit confirmation, together with investigative results developed at the scene, will be made before taking any of the following actions on hits:
  1. arresting the wanted person,
  2. detaining the missing person,
  3. seizing the stolen property.

- F. NCIC guidelines describe hit confirmation via teletype; however, there is no NCIC requirement that hit confirmation be written. Telephone hit confirmations will be accepted when teletype confirmation is impossible for some reason. The agency will be requested to follow-up with teletype confirmation when it becomes possible.
  - 1. The department will provide written hit confirmation to requesters whenever possible. If it is impossible for some reason, confirmation will be made over the phone with a teletype to follow when possible.
  - 2. Under no circumstances will a hit confirmation request made to this agency go unanswered.
  - 3. Failure to respond to an Urgent Hit Request within 10 minutes will be investigated by the on duty supervisor for possible disciplinary action.
- VII. Record Cancellation and Clear
  - A. Proper deletion of records which are no longer valid is a matter of high priority.
  - B. It is the officer's responsibility to:
    - 1. Notify the Communications Section as soon as possible when information becomes available indicating that a theft report or warrant is invalid.
    - 2. Notify the Communications Section as soon as possible when the property of a theft report is recovered, or a warrant is served, recalled, or in any other manner becomes inactive.
    - 3. Clearly mark the case files to indicate the status of the enclosed theft reports/warrants, and file appropriate hard copy teletype returns to document the status of the TCIC/NCIC records involved.
  - C. It is the Terminal Operator's responsibility to:
    - 1. Remove records from the system as soon as possible after being notified that the case has been cleared or that the record was invalid.
    - 2. Immediately bring to the attention of the shift supervisor any removal request for which a record cannot be located on the system.
    - 3. Ensure that a second operator verifies the removal of a record from the system and that the removal form has been acknowledged.
    - 4. Immediately follow up any discrepancies.
    - 5. Ensure the Municipal Court is promptly notified of any municipal court warrant discrepancies.
- VIII. Validation
  - A. Every month the DPS will electronically transmit one month's records that shall be verified for accuracy, validity, and completeness.
  - B. Validation (vehicle, boat, fugitives, and missing person entries) requires the originating agency to confirm that the record is complete, accurate, and still outstanding or active. Validation is accomplished by reviewing the original entry and current supporting documents, and by recent consultation with any appropriate complainant, victim, prosecutor, court, motor vehicle registry file or other appropriate sources or individual. In the event the agency is unsuccessful in attempts to contact the victim, complainant, etc., the entering authority must make a determination based on the best information and knowledge available whether or not to retain the original entry in the file.
  - C. Validation procedure:
    - 1. Upon receipt of the validation list, the pages will be numbered and copied.
    - 2. Copied pages will be given to the following personnel for verification:
      - a. Communications personnel responsible for performing the validation.
      - b. The Records Supervisor.
    - 3. The original validation list will remain in Communications for verification. The first year after the items/person is stolen/missing, the Records Supervisor will contact the complainant by generating a letter to be mailed to the complainant for verification that the report is correct. Each year thereafter, the record will be



validated by verifying there is not any documentation that the records should be removed from NCIC/TCIC.

4. If a reply is received from the complainant indicating the property has been recovered or corrections to the report need to be made, the Records Supervisor will notify the assigned Investigator, the TAC or TAC designee.
5. Communications personnel will verify the original validation list.
6. Communications personnel shall verify that all entries on the copied page of the Missing Persons file are accurate.
7. When copies are received in the Communications Center, the Terminal Agency Coordinator shall compare the validation and the copies. Any discrepancy will be corrected and the correction noted.
8. When validation is complete, the validation list shall be certified by the Terminal Agency Coordinator via the DPS website. The Terminal Agency Coordinator will direct activities to accomplish the validation by the stated deadline. Validation is a high priority records control function and all employees will assist the TAC as appropriate.
9. Two employees will be assigned to audit each validation for accuracy prior to submitting it to DPS. This will be done by taking random samples from each validation list and reviewing the records for accuracy. Any record that is found to be inaccurate will be corrected and the employee that validated that record may be subject to additional training and/or disciplinary action.

#### IX. Quality Control

##### A. DPS and FBI will send quality control messages concerning errors in agencies' records.

1. Messages from DPS
  - a. The terminal operator on duty at the time quality control messages are received will check MPD records for correctness and validity and respond to DPS. If the operator cannot resolve the problem, a message will be sent to DPS advising that we are looking into the problem. All messages will be forwarded to the Terminal Agency Coordinator and placed in the TAC folder.
2. Messages from FBI/NCIC
  - a. Error messages from the FBI will be identified. The record will already have been canceled by FBI/NCIC. The terminal operator receiving the message will try to resolve the error and re-enter the record if possible, passing information to the shift supervisor. If the operator cannot resolve the problem, they will notify the shift supervisor of the error message.



#### X. CJIS Integrity Procedures

##### A. Terminals

1. CJIS, TLETS, TCIC and NCIC data shall be accessed ONLY from secure locations, which are those locations that are not open to the public.
2. When transporting personnel who are not authorized to view protected information, officers shall take action to prevent unauthorized viewing of data. All vehicles containing MDCs shall be securely locked when not in use.
3. TLETS terminal screens located in office space shall be positioned to prevent unauthorized viewing. The Department will maintain a roster of authorized personnel with unescorted access into physically secure areas. This roster will be maintained by the Planning and Research office.
4. The local CJIS network equipment shall be located in a physically secure location.
5. All computers used for processing CJIS data shall have anti-virus software installed and the latest available updates for the operating system.

6. No personal hardware or software shall be allowed on the agency's TLETS network.
- B. User Procedures
1. Changes in authorized personnel should be immediately reported to the System Administrator.
  2. All printouts of CJIS data shall be promptly filed or shredded per city policy.
  3. All storage media containing or used for CJIS data that is no longer used shall be secure-formatted using methodology that over-writes all data in three iterations or degaussed prior to disposal or release for reuse by unauthorized personnel; if no longer needed, media will be destroyed.
  4. Inoperable electronic media shall be physically destroyed. Sanitation or destruction will be witnessed or carried out by authorized personnel. This task will be conducted by the city of Mesquite IT department.
  5. The IT department shall keep a list of all computers so that devices can be promptly disabled, should the need arise.
  6. It shall be the responsibility of each authorized user to report any violations of this security policy.
  7. The agency shall establish a Security Alert and Advisories process. This will be the responsibility of the IT department.
  8. All personnel will be required to complete CJIS training every two years.

EFFECTIVE: September, 1990; REVISED: January, 1996; REVISED: March, 1997; REVISED: November 1999; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013; REVISED: April, 2014; REVISED: June, 2015; REVISED: May, 2016

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>312.00 COMMUNICABLE DISEASES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

#### Purpose

The purpose of this policy is to provide guidelines for employees of the Mesquite Police Department in preventing the contraction of communicable diseases, as mandated by the Human Immunodeficiency Virus Services Act.

#### Philosophy:

It is the responsibility of the Mesquite Police Department to ensure that its employees are able to perform their duties in a safe and effective manner. The safe performance of daily operations has recently become threatened by life endangering communicable diseases. Therefore, it shall be the policy of this department to continuously provide employees with up-to-date safety procedures and communicable disease information that will assist in minimizing potential exposure, while increasing their understanding of the nature and potential risks of communicable diseases.

#### I. Definitions

- A. **Body Fluids:** Liquid secretions including blood, semen and vaginal or other secretions that might contain these fluids such as saliva, vomit, urine or feces.
- B. **Communicable Disease:** Those infectious illnesses that are transmitted through contact with the body fluids of an infected individual.
- C. **Acquired Immune Deficiency Syndrome:** A blood disorder that cannot be transmitted or spread through casual contact but can be contracted by intimate sexual contact, blood transfusions, injection with contaminated needles and the mixing of body fluids.
- D. **Hepatitis B:** A viral infection that can result in jaundice, cirrhosis and sometimes cancer of the liver. The virus may be found in human blood, urine, semen, cerebrospinal fluid, vaginal secretions and saliva. Injection into the blood stream, droplet exposure to the mucous membranes, and contact with broken skin are primary hazards. There exists a vaccine against Hepatitis B.
- E. **Contact with mucous membrane** means contact with the naturally wet areas of the eyes, nose, mouth and genitals.

#### II. Procedures

- A. **Communicable Disease Prevention**
  - 1. In order to minimize potential exposure to communicable diseases, officers should assume that all persons are potential carriers of a communicable disease.
  - 2. Disposable gloves shall be worn when handling any persons, clothing or equipment with body fluids on them.
  - 3. Employees should use protective equipment issued by the department whenever there is a possibility of exposure to contagious disease.
  - 4. Plastic mouthpieces or other authorized barrier/ resuscitation devices shall be used whenever an officer performs CPR or mouth-to-mouth resuscitation.
  - 5. All sharp instruments such as knives, scalpels and needles shall be handled with extraordinary care, and should be considered contaminated items.
    - a. Gloves shall be worn when searching for or handling sharp instruments.
    - b. Officers shall not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted, using a flashlight when necessary. The suspect may also be asked to remove such objects from his person.

- c. Needles shall not be recapped, bent, broken, removed from a disposable syringe or otherwise manipulated by hand.
  - d. Needles shall be placed in a puncture container when being collected for evidentiary or disposal purposes.
- 6. Officers shall not smoke, eat, drink, or apply makeup around body fluid spills.
- 7. Any evidence contaminated with body fluids will be dried, double bagged in paper bags and marked to identify potential or known communicable disease contamination.
- 8. Employees should be aware that certain medications, such as steroids and asthma medications, will suppress their immune systems causing them to be more susceptible to infectious disease.
- 9. Employees using supplies stored in police vehicles will replace any items used as soon as possible or notify their Supervisor that the supplies have been used and cannot be replaced during their shift. The supervisor will ensure that the items are replaced.
- 10. First aid kits will be maintained in a manner that will make them readily accessible to all personnel.
- 11. Protection kits will be maintained in a manner that will make them readily available to all personnel.
- 12. First aid kits and protection kits will be composed of all the prescribed ingredients as mandated. They will also be periodically inspected to insure that the contents have not expired.
- B. Transport & Custody
  - 1. Where appropriate protective equipment is available, no officer shall refuse to arrest or physically handle any person who may have a communicable disease.
  - 2. Officers shall not put their fingers in or near any person's mouth.
  - 3. Individuals with body fluids on their persons shall be transported in separate vehicles from other individuals. The individuals may be required to wear a suitable protective covering if he is bleeding or otherwise emitting body fluids.
  - 4. Officers have an obligation to notify relevant support personnel during a transfer of custody when the suspect has body fluids present on his person, or has stated that he has a communicable disease.
  - 5. Suspects taken into custody with body fluids on their person shall be allowed to cleanse the affected area as soon as possible upon arrival at the jail. This disinfection procedure should conform to methods listed in subsection C.
  - Disinfection.
  - 6. Officers shall document on the appropriate arrest or incident form when a suspect taken into custody has body fluids on his person, or has stated that he has a communicable disease.
- C. Disinfection
  - 1. Any unprotected skin surfaces that come into contact with body fluids shall be immediately and thoroughly washed with hot running water and soap for 15 seconds before rinsing and drying.
    - a. Alcohol or antiseptic towelettes may be used where soap and water are unavailable.
    - b. Disposable gloves should be removed in such a manner so that they come off inside out. The gloves should then be disposed of. The hands and forearms should then be washed.
    - c. All officers with open and exposed cuts and abrasions shall cover them with waterproof bandages before reporting for duty.
    - d. Officers should remove clothing that has been contaminated with body fluids as soon as practical. Any contacted skin area should then be

cleansed in the prescribed fashion. Contaminated clothing should be handled carefully and laundered separately but in the normal fashion.

2. Disinfection procedures shall be initiated whenever blood or body fluids are spilled, or an individual with body fluids on his person is transported in a departmental vehicle.
  - a. A patrol sergeant shall be notified that a particular vehicle has been contaminated and the type of contamination.
  - b. Affected vehicles shall be immediately designated by the posting of an "Infectious Disease Contamination" sign while awaiting disinfection.
  - c. Public safety officers (PSO) shall be notified that a vehicle has been contaminated. The PSO shall be contacted on their city issued cell phone, notified in person, or a voice message should be left on the PSO's assigned office phone, indicating the Unit number, the location of the vehicle and the type of contamination involved. An e-mail is also acceptable.
  - d. The PSO will evaluate the severity of the contamination and then drive the unit to the city contract car cleaning service or call for a city wrecker to tow the contaminated vehicle to that location for decontamination.
  - e. No contaminated vehicle shall be utilized until completely decontaminated.
  - f. All disposable equipment, cleaning materials or evidence contaminated with body fluids shall be bagged and disposed of in compliance with state law provisions for disposal of biologically hazardous material.

D. Supplies

1. First aid kits can be restocked at the City of Mesquite Warehouse located at the service center.
2. Protection kits can be obtained from the MPD property room upon request.
3. All departmental vehicles shall be continuously stocked with a first aid kit as well as a protection kit. Each shall contain the following:
  - a. FIRST AID KIT (Standard First Aid Kit supplied by Warehouse)
    - (1) Bandages
    - (2) Antiseptic Towelettes
    - (3) Ammonia Inhalants
    - (4) Ice pack
    - (5) Adhesive tape
    - (6) Eyewash and Pads
    - (7) Sterile Gauze Pads
    - (8) Scissors and Tweezers
  - b. PROTECTION KIT (contained in 12"X15" clear, resealable bag)
    - (1) 1 pair of disposable or reusable vinyl gloves, rubber gloves, or any other appropriate barrier (for use during direct contact with body fluid spills, especially those containing visible blood)
    - (2) Appropriate disposal containers, including disposable bag (1 mil) and 1 red disposable bag (1.5 mil) marked "contaminated"
    - (3) 1 mouth and face shield
    - (4) Antimicrobial hand wipe packet
4. Supplies and equipment must be readily accessible by being:
  - a. Clearly identified for intended use
  - b. Placed in areas of potential need
  - c. Placed in locations within easy reach of personnel
  - d. Stored in containers that are easily opened

5. Officers using supplies stored in police vehicles are responsible for their immediate replacement.
  6. Officers are required to keep disposable gloves in their possession while on duty.
- E. Line of Duty Exposures to Communicable Diseases
1. Any officer who has been bitten by a person, or who has had physical contact with body fluids of another person while in the line of duty shall be considered to have been exposed to a communicable disease.
  2. A supervisor shall be contacted and all appropriate duty injury and medical forms shall be completed by the supervisor.
  3. Immediately after exposure, the officer shall be transported to the appropriate health care facility for testing.
    - a. The department shall ensure continued testing of the officer for evidence of infection and provide psychological counseling as determined necessary by the health care official.
    - b. Unless disclosure to an appropriate departmental official is authorized by the officer or by state law, the officer's test results shall remain confidential.
  4. Any person responsible for potentially exposing an officer or employee of the police department shall be tested to determine if the person has a communicable disease. The appropriate forms and affidavits shall be submitted to the Dallas County Department of Health and Human Services. This testing is not limited to persons in custody but also to victims at any scene where blood or body fluids have exposed an officer to risk of contamination.
    - a. The person shall be provided a copy of the test results and guaranteed its confidentiality.
    - b. Criminal charges may be sought against any person who intentionally acts to expose an officer to a communicable disease.
  5. Officers who test positive for a communicable disease may continue working as long as they maintain acceptable performance and do not pose a safety and health threat to themselves, the public or employees of the department.
    - a. The department shall make all decisions concerning the employee's work status solely on the medical opinions and advice of the department's health care officials.
    - b. The department may require an employee to be examined by department health care officials to determine if he is able to perform his duties without hazard to himself or others.
  6. All personnel shall treat employees who have contracted a communicable disease fairly, courteously and with dignity.
- F. Record Keeping
1. The department shall maintain written records of all incidents involving employees who have potentially been exposed to a communicable disease while acting in the line of duty. The records shall be stored in a secured area with limited access, and maintained in conformance with applicable privacy laws.
  2. The department shall maintain written records of educational material that is supplied to each employee/ detainee.
- G. Education
1. All employees will be supplied with materials that educate them in infection control of communicable diseases.

EFFECTIVE: January, 1992; REVISED: January, 1996; August, 2003; REVISED: August, 2011



DALLAS COUNTY  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Communicable Disease Control

(FRONT)

REQUEST TO TEST SOURCE for NOTIFICATION to EMS EMPLOYEE, PEACE OFFICER, OR FIRE  
FIGHTER OF POSSIBLE EXPOSURE TO A COMMUNICABLE DISEASE

Leave at Hospital – NOT FOR PATIENT CHART

ITEMS 1 - 6 TO BE COMPLETED BY THE EXPOSED PUBLIC SAFETY WORKER (PSW)

(PLEASE PRINT LEGIBLY)

1. Public Safety Workers (PSW's) Name: \_\_\_\_\_ DOB \_\_\_\_\_
2. PSW's Phone: (Home #) \_\_\_\_\_ (Work #) \_\_\_\_\_
3. PSW's Supervisor \_\_\_\_\_ Phone \_\_\_\_\_
4. PSW's Employer / Agency & City: \_\_\_\_\_
5. Date of Exposure \_\_\_\_\_
6. Describe the Exposure to Blood or Body Fluids (This is essential for evaluation):

Disease (circle all that apply)	Type of Exposure	
Diphtheria, Measles, pertussis, Meningococcal infections, Plague, rubella, TB, viral hemorrhagic fever	Aerosol or Droplet Exposure	
	Unprotected mouth to mouth	
	Intubation	
	Throat exam	
	Suctioning	
AIDS, HIV infection, malaria, plague, syphilis, hepatitis	Percutaneous Exposure	
	Blood	Body Fluid Contact
	Eyes	Nose
	Mouth	Non-intact skin
	Open wound/lesion	Puncture/cut with needle/sharp object

Detailed description of exposure \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. The Above Exposure (in # 5) Occurred While Working With this Person (The Source Person):  
SOURCE PERSON'S NAME \_\_\_\_\_ DOB \_\_\_\_\_  
SOURCE'S Home Address \_\_\_\_\_ Phone \_\_\_\_\_
8. Form Submitted to (Name of Person and Facility) \_\_\_\_\_  
Date Submitted \_\_\_\_\_

ITEMS 9 – 11 TO BE COMPLETED BY THE HOSPITAL/CLINIC

Add TEST RESULTS & LAB DATES FOR  
SOURCE PERSON

9. Disease Identified \_\_\_\_\_  
Lab Tests Done: \_\_\_\_ YES \_\_\_\_ NO  
OTHER TEST(s) – NAME(s): \_\_\_\_\_  
RPR: \_\_\_\_\_  
HIV: \_\_\_\_\_  
Hep B: \_\_\_\_\_  
Hep C: \_\_\_\_\_  
TB: \_\_\_\_\_
10. PHONE EXPOSURES TO: Dallas County Department of Health and Human Services (DCHHS): (214) 819-2004  
Person Contacted at DCHHS: \_\_\_\_\_ Date Reported to DCHHS: \_\_\_\_\_
11. \* PERSON COMPLETING THIS FORM: NAME \_\_\_\_\_  
PHONE: \_\_\_\_\_ Fax completed report to Dallas County Health and Human Services at  
214-819-6095

Revised 12/28/09



DALLAS COUNTY  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Communicable Disease Control

(BACK)

REQUEST TO TEST SOURCE  
NOTIFICATION TO EMS EMPLOYEE, PEACE OFFICER, OR FIRE FIGHTER  
OF POSSIBLE EXPOSURE TO A COMMUNICABLE DISEASE

All licensed medical facilities must notify the local health authority when a Public Safety Worker (PSW), such as EMS personnel, peace officer, or fire fighter has been exposed to a reportable disease. The Dallas County Department of Health & Human Services will notify the director of the agency employing the PSW of the exposure. This notification is required for the following diseases and situations: (Report immediately by phone any suspect cases of diseases in italics.)

<u>Diseases</u>	<u>Exposures requiring notification</u>
1. <i>Diphtheria, measles, pertussis, meningococcal infections, plague, rubella, TB, viral hemorrhagic fever.</i>	Mouth-to-mouth resuscitation throat exam, intubation, suctioning.
2. AIDS, HIV infection, malaria, plague, syphilis, hepatitis.	Needlestick, penetrating puncture; or splatter or aerosol into eye, nose, mouth; or contamination of open wound or non-intact skin.

WARNING: Disclosure of confidential medical information is a criminal offense.

INSTRUCTIONS for completing reverse side:

**Public Safety Worker (PSW – i.e. Exposed Person):**

- (1) Fill out items 1-8 on reverse side completely. Be very specific with how you were exposed.
- (2) Give form to **charge nurse** in the emergency department. Note on FRONT of this form (#8), to whom form was given and date/time.
- (3) CONSIDER ALL PERSONS AS INFECTIOUS; if indicated, thoroughly rinse, flush, or scrub the exposed body part with water (Not Saline) and soap or antiseptic. IF EXPOSURE IS PERCUTANEOUS, see physician for proper HIV and Hepatitis B prophylaxis as soon as possible (preferably within 2 hours).
- (4) You may need to complete other forms for your agency's workers' compensation program.

**Emergency Department Charge Nurse:**

- (1) Complete 9 thru 11 and give the form to the hospital's infection control or employee health person; if this will result in a delay of notification to the PSW of a known communicable disease, find an appropriate person to expedite completion of process or call report to Dallas County Health and Human Services 214-819-2004. If DCHHS is closed, leave a voice message stating that you are calling regarding a PSW exposure. Leave a name and phone number that the DCHHS nurse can call regarding the PSW exposure.
- (2) Do not release confidential medical information to anyone other than the health department.

**Infection Control/Employee Health Personnel (or other appropriate person):**

- (1) Ascertain whether the source patient has any of the diseases listed above; the law specifically states that additional tests beyond those necessary for the medical management of the patient are not mandated; however, if your hospital policy permits, you may ask the patient and the patient's physician for permission to perform other tests.
- (2) As soon as a communicable disease is diagnosed or suspected telephone the health department (214-819-2004) and fax the form with lab results and date done to (214-819-6095). If no communicable disease is diagnosed during this hospitalization, fax the form to the health department upon discharge.
- (3) Do not release confidential medical information to anyone other than the health department.

**Telephone Numbers:**

Dallas County of Health and Human Services: Communicable Disease Control, PSW Coordinator Voice: 214-819-2004 (If no answer, leave voice message- DCHHS will call back M-F 8 to 4:30) and Fax: 214-819-6095.

Revised 09/01/09



2377 N. Stemmons Freeway  
Suite 522 – LB 12

Dallas, Texas 75207-2710

(214)819-2000  
FAX (214)819-6095

Exhibit No. 300-4 Notification of Possible Exposure to Communicable Disease (Back)



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>313.00 PROCEDURAL GUIDELINES – SUICIDES OR ATTEMPT SUICIDES IN JAIL</b>
	<b>Effective Date: August, 2011</b>
	Approved:  _____ Chief of Police

- I. Policy
 

There will be an immediate investigation of any incidents of suicide or suicide attempts that occur in the Mesquite jail.
- II. Duties and Responsibilities
  - A. Technical Services Bureau Personnel
    1. The Detention Officer who discovers or is notified a prisoner has committed or attempted to commit suicide will immediately take the following steps:
      - a. Administer first aid as needed. Prisoner medical needs are most important.
      - b. Summon MFD paramedics.
      - c. Notify the Station Sergeant and/or the on-duty Watch Commander.
      - d. Preserve the crime scene, which includes maintaining each prisoner in the cell which they occupied at the time of the incident.
    2. The Station Sergeant will notify the Jail Lieutenant during business hours or the on-duty Watch Commander after business hours of the incident and will ensure prisoners remain in the same cell occupied at time of incident. All transfers and releases will be temporarily postponed.
    3. The Station Sergeant will print out a list of every prisoner in jail at the time the incident occurred. The location of every prisoner will be recorded on a diagram of the jail.
    4. The Station Sergeant will investigate all attempted suicides in the jail that do not require medical treatment at an area hospital. This investigation will include but not be limited to interviewing all witnesses to the incident, taking written statements or making audio/video recordings of their interviews, collecting evidence and receiving the appropriate written reports from on-duty personnel.
    5. The on-duty Station Sergeant will prepare a copy of the necessary jail video to document the actions of the person attempting suicide.
  - B. Command Level Officer
    1. If an inmate commits suicide or is transported to an area hospital as a result of an attempted suicide the Command Level Officer having responsibility for the incident will immediately notify the Criminal Investigations Lieutenant. An investigation of the incident will be initiated. In the event the CID Lieutenant cannot be located the CID Captain and/or Assistant Chief of Operations will be notified.
    2. The Command Level Officer having responsibility for the incident will personally observe and confirm jail personnel have taken all appropriate actions and the crime scene has been preserved, and will notify Crime Scene.
    3. The Command Level Officer will ensure an offense/incident report is completed and that a press release is prepared. The Command Level Officer may call the Departmental Public Information Officer to assist with the press release and potential media inquiries.
    4. The Command Level Officer is responsible for ensuring all pertinent steps are complete on the Jail Suicide Checklist.
  - C. Criminal Investigation Bureau Personnel

1. The CID Lieutenant and/or the Crimes Against Persons supervisor and investigators will respond to the jail and immediately initiate an investigation into the incident. The investigation will include but not be limited to the following steps:
  - a. All prisoners in jail at the time of the incident will be identified by name, date of birth, arrest and MPD MNI number, arrest charges, and location in the jail at the time the incident occurred.
  - b. Digital photographs will be taken of all inmates in jail at the time of the incident. The inmate's current book-in photograph is acceptable.
  - c. Crime Scene personnel will take a digital photograph of each cell and the occupants that were in the cell at the time of the incident.
  - d. Crime Scene personnel will collect any evidence such as item of clothing that may have been used to commit or attempt the suicide.
  - e. All witnesses to the incident will be interviewed and written statements will be taken. Due to the sight and sound limitations in the jail holding facility, interviews of prisoners will be limited to those who may have heard or witnessed the incident.
  - f. All jail and police personnel present at the time of the incident will submit a written report (memorandum to the Chief of Police).
  - g. The C.I.D. supervisor will be responsible for securing and preserving the video tape of the suicidal prisoner's book-in and the current jail video tape.
  - h. The Crimes Against Persons supervisor will prepare a report on the incident for the Chief of Police and submit it through the chain-of-command not later than five working days after completion of the investigation. The report should include a summary of the investigation and a copy of all arrest reports, pictures, and diagrams.

EFFECTIVE: January, 1996; REVISED: August, 2011

## JAIL SUICIDE CHECKLIST



(Attempted or Completed)

1. DETENTION / JAIL PERSONNEL:
  - ☐ a. Administer First-Aid as needed.
  - ☐ b. Notify Mesquite Fire Paramedics.
  - ☐ c. Notify Station Sgt. and/or Watch Commander.
  - ☐ d. Preserve crime scene and maintain prisoners in their cells.
2. STATION SGT:
  - ☐ a. Ensure Jail Lieutenant or Watch Commander is aware of situation.
  - ☐ b. Ensure prisoners remain in their cells.
  - ☐ c. Temporarily postpone all releases and transfers of prisoners.
  - ☐ d. Print a master list of all inmates.
  - ☐ e. Document the exact location of each inmate on attached diagram.
  - ☐ f. Investigate all attempted suicides not requiring medical treatment.
  - ☐ g. Prepare a copy of jail video documenting attempted suicide.
3. COMMAND LEVEL OFFICER:
  - ☐ a. Notify CID Lieutenant.
  - ☐ b. Confirm appropriate actions of Station Sgt. and Detention Personnel.
  - ☐ c. Notify Crime Scene Sgt. and or the On-Call CSS investigator.
  - ☐ d. Ensure Offense/Incident Report is completed and generate press release.
4. CRIME SCENE SGT. or CSS INVESTIGATOR
  - ☐ a. Secure the article used in incident.
  - ☐ b. Photograph each cell to include jail inmates.
5. CID SUPERVISOR or ON CALL INVESTIGATOR
  - ☐ a. Respond to Jail and initiate investigation.
  - ☐ b. Confirm identity of each inmate, to include name, DOB, MNI, charges and cell location.
  - ☐ c. Ensure photo of each inmate is available from current book-in.
  - ☐ d. Ensure Crime Scene Investigator has secured any article used in the incident.
  - ☐ e. Interview and obtain written statements from each inmate that witnessed the incident.
  - ☐ f. Ensure all detention / police personnel submit written affidavits.
  - ☐ g. Secure / preserve suicidal inmate's book-in video and current jail recordings (video and audio). Duplicate and preserve original.
  - ☐ h. Notify next of kin if necessary.
  - ☐ i. Submit summary through chain to include complete case file within five (5) working days.
    - ☐ Offense Report
    - ☐ All arrest reports
    - ☐ Individual inmate photographs
    - ☐ Inmate DL and criminal histories
    - ☐ Individual inmate affidavits
    - ☐ Individual cell & crime scene photographs
    - ☐ Diagram
    - ☐ Detention / Police individual affidavits
    - ☐ Call sheet
    - ☐ Victim file including fingerprint card
    - ☐ CSS reports
    - ☐ Press Release
    - ☐ Summary

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>314.00 POLICE FAMILY SUPPORT TEAM</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**Purpose:**

This order recognizes that the spirit of the Mesquite Police Department is one of helping people and providing assistance at every opportunity. This includes assistance to the Department's police family, and especially during the time when an active member of the Department suffers a life-threatening injury/illness or death.

The purpose of this order is to offer impartial assistance to all members of the Department's police family. It must be understood that services provided to the police family are dependent upon a number of factors. These include such things as the availability of the Department's resources and the Department's primary role of providing public safety to our community. The Chief of Police may approve deviations from this order depending upon those factors.

**I. Definitions:**

- A. **Active Member Injury, Illness, or Death in the Line-of-duty:** A member of the Department, who suffers a life-threatening or fatal injury or illness while taking any official action.
- B. **Active Member Injury, Illness, or Death Not in the Line-of-Duty:** A member of the Department, who suffers a life-threatening or fatal illness while off duty and which is non-police related.
- C. **Retired Member Death:** The death of a retired member who is in good standing and fully separated through retirement from the Department.
  - 1. A retiree is defined as:
    - a. Any sworn or non-sworn member who resigns in good standing, having completed at least 20 years of service, regardless of age; or
    - b. Any sworn or non-sworn member who resigns in good standing and who is eligible to receive city pension benefits; or
    - c. Any former sworn or non-sworn member who is receiving a City disability pension.
- D. **Death of Another Law Enforcement Agency Member:** A member of an agency, which is involved in crime and juvenile delinquency control or reduction, or enforcement of criminal laws, who dies while taking action that the member is authorized or obligated by law, rule, regulation, or condition of employment or service, whether on or off-duty.
- E. **Honors**
  - 1. **Full Departmental Honors.**
    - a. Full Departmental Honors are the rendering of honors at the funeral of a member of the Department who died in the line-of-duty.
    - b. The following Full Departmental Honors will be rendered, upon approval of the family:
      - (1) All flags at police facilities will be flown at half mast, for the period of time from the death of a member, until immediately following the committal service.
      - (2) All members of the Department with badges will cover their badge with black elastic band.
      - (3) All members of the Department without badges, who wish, may cover the left vertical edge (opposite edge from where the employee's picture is located) of their identification card with a

black elastic banding, a mourning badge band, or black tape for the period of time from first being informed of the death of a member, until immediately following the committal service. The tape or mourning band will not be placed in a manner that covers the picture or any information on the identification card.

- (4) A casket guard of one or two uniformed officers will be assigned to the deceased member for the period of time from the death of the member until the burial.
- (5) A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
  - (a) Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
  - (b) Uniform trousers.
  - (c) Waist belt.
  - (d) Sam Browne belt, keepers, empty handcuff case, and empty holster.
  - (e) Uniform black tie.
  - (f) MPD collar insignia; and/or insignia of rank for Lieutenants and above.
  - (g) Temporary badge, which will be returned to the Department.
- (6) A cotton United States or Texas flag will be provided to drape the casket.
- (7) Colors will be presented by the Color Guard at the committal service.
- (8) A riderless horse will be stationed in a place of prominence, if available.
- (9) Flag folding ceremonies will be conducted by the Ceremonial Unit.
- (10) The flag will be presented to the family by the Chief of Police or his designee.
- (11) A 21-gun salute will be performed by the Ceremonial Unit Firing Party.
- (12) "Taps" will be played at the committal service.
- (13) The bagpiper may play a committal service, if available.
- (14) A police escort will be provided for the funeral service.

2. Departmental Honors

- a. Departmental Honors are the rendering of honors at the funeral of a member of the Department where the cause of death was not in the course or scope of the member's employment.
- b. Departmental Honors are the rendering of honors at the funeral of a retired member of the Department.
- c. The following Departmental Honors will be rendered, upon request of the family; for
  - (1) Active Member
    - (a) All members of the Department will cover their badges or identification cards while attending funeral services and until immediately following the committal service.
    - (b) A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:

- (i) Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
    - (ii) Uniform trousers.
    - (iii) Waist belt.
    - (iv) Sam Browne Belt, keepers, empty handcuff case, and empty holster.
    - (v) Uniform black tie.
    - (vi) MPD collar insignia; and/or insignia of rank for lieutenants and above.
    - (vii) Temporary badge, which will be returned to the Department.
  - (c) A United States or Texas burial flag will be provided to drape the casket.
  - (d) A flag folding ceremony will be conducted.
  - (e) The flag will be presented to the family.
  - (f) "Taps" will be played at the committal service.
  - (g) A police escort will be provided for the funeral services if within a reasonable driving distance.
- (2) Retired Member
- (a) All members of the Department attending funeral services for deceased retired members will cover their badges or identification cards during the funeral services and until immediately following the committal service.
  - (b) A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
    - (i) Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
    - (ii) Uniform trousers.
    - (iii) Waist belt.
    - (iv) Uniform black tie.
    - (v) MPD collar insignia; and/or insignia of rank for lieutenants and above.
    - (vi) Temporary badge, which will be returned to the Department.
  - (c) A United States or Texas burial flag will be provided to drape the casket.
  - (d) A flag folding ceremony will be conducted.
  - (e) The flag will be presented to the family.
  - (f) "Taps" will be played at the committal service.
  - (g) A ceremonial police escort will be provided for the funeral services, if the services are held within a reasonable distance.

### 3. Ceremonial Honors

- a. Ceremonial Honors are the rendering of honors on, but not limited to the following occasions:
  - (1) The funeral of a person who the Department wishes to honor.
  - (2) National Police Week and Police Officer Memorial Day ceremonies.
  - (3) Parades or other ceremonies which the Department participates in at the direction of the Chief of Police.

- b. Ceremonial Honors can include some or all of the honors rendered as part of the Full Departmental Honors or Departmental Honors.
    - c. All Ceremonial Honors must have prior approval of the Chief of Police.
  - F. **Official Departmental Burial Flags**  
The United States flag or the State of Texas flag are the only flags permitted to drape the casket at a service where the Department is rendering Full Departmental Honors, Departmental Honors, or Ceremonial Honors. This does not limit the use of a pall by the Roman Catholic Church or other churches, but nothing may be placed on top of the flag. The flag must be removed before the casket is covered with the pall.
  - G. **Police Family Members**  
The term Police Family Members refers to the immediate surviving family members.
  - H. **Metroplex**  
The term Metroplex will be considered to include the City of Mesquite, Dallas County, contiguous counties of Dallas County, and a 100 mile radius of the City of Mesquite.
- II. **Responsibilities of the Police Family Support Team**
  - A. The Police Family Support Team will perform the following duties and will be responsible for the coordination of the following:
    - 1. Provide liaison between the Police Family Support Team and the Chief of Police.
    - 2. Assign a Family Service Officer who will be responsible for the coordination of the overall operation of the Family Support Team. (This person will be a Member of the Family Support Team)
    - 3. Be responsible for coordinating all benefits for which the member and his/her family are eligible.
    - 4. Travel and Financial Coordinator - the Captain of the Staff Support Bureau or his designee will be responsible for coordinating any financial and/or travel arrangements, whether local or into and away from Mesquite, for Police Family Members and/or Departmental Ceremonial and Coordination personnel, in connection with the life threatening or fatal injury, illness or death of a Departmental Member.
    - 5. Coordinate with the Public Information Officer who will be responsible for coordinating the release of personal or Departmental information, and for arranging media coverage of memorial or funeral services, in connection with the life threatening injury, illness, or death of a Departmental member.
    - 6. Coordinate with a Traffic Coordinator - the Sergeant of the traffic section who will be responsible for coordinating and conducting any and all movements of vehicles involved in a funeral operation.
    - 7. Coordinating with the Commander of the Ceremonial Unit (Honor Guard) who will be responsible for all ceremonial rites involved in a funeral operation.
    - 8. Coordinate the assignment of Family Liaison Officers- officers from the injured/deceased member's division or bureau, (one or two per 8-hour shift) who will provide security, liaison, and escort for Police Family Members in connection with the serious or fatal injury, illness, or death of a Departmental member. Although this is not a command or coordination position, it does provide the role of "facilitator" between the family and the Department.
  - B. The Police Family Support Team will be activated by the Chief of Police when needed. Upon receiving notification by the Communications Section of an event listed in III. A. 1 or 2. the Police Family Support team will notify the Chief of Police, or his designee, to receive instructions on whether to activate and at what level.
  - C. The Police Family Support Team will provide coordination and communication to both the Mesquite Police Department and the Police Family Members during a time of crisis and grief.



- D. When activated, the Police Family Support team will meet at least one time a day until deactivation is ordered by the Chief of Police.
- III. Notification of the Police Family Support Team
- A. Communications Section
1. The Communications Section, upon receiving information of a life-threatening, fatal injury or illness of any member of the Department, while on or off duty, will immediately notify the members of the Police Family Support Team.
  2. The Communications Section, upon receiving information on the situations listed below will notify the Family Support Team immediately in the event of the following:
    - a. Death of any retired member of the Department.
    - b. Notification of the death, in the line of duty, of any Texas law enforcement agency employee.
    - c. Notification of the death, in the line of duty, of any law enforcement agency employee occurring in Mesquite.
    - d. Notification of the intention of any law enforcement agency to bring to Mesquite a law enforcement employee killed in the line of duty for funeral or committal services.
- IV. Notification of the Police Family Members
- A. General procedures for bureaus regarding notification of deaths and life-threatening injuries.
1. In all situations where a member of the Department is seriously or fatally injured, the Police Family Members and their needs must be given first priority and consideration.
  2. The name of the seriously or fatally injured member must not be released to the media before the Police Family Members are notified, whether they live in the Metroplex or outside the Metroplex.
  3. If the Police Family Members reside outside the Metroplex, the informing officer shall request a prompt and personal notification from the jurisdictional law enforcement agency in the area in which the surviving family resides.
  4. If the Mesquite Police Department is requested by another law enforcement agency to perform a personal notification of a serious injury or death of one of their members to a Police Family Member who resides within the City of Mesquite, the same courtesy and procedures shall be afforded to the agency as that which would be done for our own Police Family Member's notification.
  5. A member of the Family Support Team should obtain necessary information from the Emergency Notification Form. If the form indicates medical conditions or medication allergies, etc., this information should be sent to the receiving hospital.
- B. Notification Team Composition and Responsibilities
1. The notification team should be made up of a supervisor, an officer known by the injured employee's family (when possible), a female officer to assist female family members (if available), a Family Support Team Member and a chaplain or minister.
  2. Employees outside of the official notification team are prohibited from making contact with the Police Family Members prior to official notification.
  3. At least two vehicles should be used in the notification team.
  4. The following Police Family Members should receive immediate notification based upon the member's specifications in the emergency contact form:
    - a. Spouse and children
    - b. Parents
    - c. Others, as requested by the family.

5. Prior to arrival of the notification team, accurate and up-to-date information should be secured. The notification team's goal should be to make a timely notification before Police Family Members learn through other means.
  6. If a member immediately notifies his/her spouse of the life-threatening injury or death of a co-worker, the member's spouse should be told not to call the injured or deceased member's spouse. This lessens the possibility of a premature notification.
- V. Response to Life-threatening Injuries & Death in the Line-of-duty
- A. The Police Family Members will be considered to be:
    1. Spouse
    2. Sons and daughters, and guardian if the child is under 18 years of age
    3. Spouses of the sons and daughters
    4. Father, mother, stepfather, and stepmother
    5. Brothers and sisters, if under 18 years of age
  - B. When a member of the Department suffers a life-threatening injury or illness, or is killed in the line-of-duty in the Metroplex, the following will be provided for the Police Family Members by the Department:
    1. Personal notification of the Police Family Members in the Metroplex.
    2. When Police Family Members are not in the Metroplex, notification to the jurisdictional law enforcement agency in which the surviving family resides will be made.
      - a. Transportation to the medical facility or other location of local Police Family Members
      - b. If requested, a uniformed officer will be posted at the family residence while the family is taken to the medical facility or other location, and will remain until replaced by the Family Liaison Officers.
      - c. Family Liaison Officers will be available 24 hours per day to assist the Police Family Members.
      - d. If the Police Family Members reside outside the Metroplex, they will be provided transportation during their length of stay, if necessary.
      - e. All Departmental members will guard against making any promises to the family, and will not make additions to the list, without prior consent of the Chief of Police, through the Police Family Support Team.
      - f. The above supportive measures will be provided from the time of the life-threatening injury until the member's life is no longer threatened, or in the event of death, 24 hours after the committal services.
      - g. Full Departmental Honors will be rendered.
  - C. When a member of the Department suffers a life-threatening injury or illness in the line-of duty outside the Metroplex, the following will be provided for the Police Family Members by the Department:
    1. If requested, a uniformed officer will be posted at the residence while the family is absent, and will remain until the family returns home.
    2. In the case of a member being hospitalized outside the Metroplex, a member of the Family Support Team will serve as the Family Liaison Officer.
    3. Arrangements for transportation of Police Family Members will be made with the jurisdictional law enforcement agency in the area where the member is hospitalized.
    4. The above will be provided from the time of the life-threatening injury until the member's life is no longer threatened. This time may be extended with approval of the Chief of Police.
  - D. When a member of the Department is killed in the line-of-duty outside the Metroplex, the Department will provide the following for the Police Family Members:

1. A member of the Family Support Team will be sent to the location where the Departmental member has been killed to handle the logistical details and provide escort for the remains.
  2. All other details as provided for a member of the Department being killed in the line-of duty in the Metroplex.
- VI. Response to Life-threatening Injury or Illness & Death, Not in the Line-of-duty
- A. The Department will provide the following for the Police Family Members:
    1. When the Police Family Members reside in the Metroplex:
      - a. Personal notification of Police Family Members
      - b. Transportation to the medical facility or other location of the Police Family Members
      - c. If requested, a uniformed officer will be posted at the family residence while the family is taken to the medical facility or other location and will remain until replaced by the Family Liaison Officers.
      - d. Family Liaison Officers will be available, as needed or requested, 24 hours per day from the time of notification until the member's life is no longer threatened, or if death occurs, until burial. The time period may be extended with approval of the Chief of Police.
      - e. Departmental Honors will be rendered.
    2. When the Police Family Members reside outside the Metroplex:
      - a. Notification will be made to the jurisdictional law enforcement agency in which the immediate surviving family member resides.
      - b. Out of town Police Family Members will be picked up at the airport.
      - c. Department Honors will be rendered with approval of the Chief of Police.
    3. The Department cannot provide for any expenses incurred by the Police Family Members.
- VII. Response to the Death of a Retiree
- A. The Department will provide the following to the Police Family Members if the funeral, memorial, and/or committal service is held in the Metroplex:
    1. The Family Support Team will be available to assist with the funeral service.
    2. If requested, Departmental Honors will be rendered.
  - B. The Department cannot provide for any expenses incurred by Police Family Members.
- VIII. Departmental Representation at Out of Town Funeral Services (MPD Line-of-duty Deaths)
- A. The following Departmental persons will accompany the family and remains, when applicable, to out of town funerals:
    1. Family Support Team
    2. Honor Detail (Pallbearers) (Maximum 8 Members)
  - B. When transportation to out of town funerals is made available through the Department, the following Departmental persons may travel to the funeral:
    1. Executive Staff (unless other transportation is available for them)
    2. Public Information Officer (maximum 1 member)
    3. Ceremonial Unit (maximum 20 members)
    4. Usher Detail (maximum 4 members)
  - C. The Department will provide personnel and vehicles, including transportation expenses, lodging, and meals, if the funeral and burial location are within a reasonable driving distance. The numbers of personnel and vehicles shall be approved by the Chief of Police.
- IX. Demeanor of Officers (Other than the Ceremonial Personnel) at Memorial, Funeral, and Committal Services
- A. Memorial and Funeral Services

1. The word chapel is interpreted to include church, funeral home, or other inside location where a memorial or funeral service is held, other than the committal service.
  2. The word casket is interpreted to include any receptacle containing the remains of the deceased, including cremated remains.
  3. Appropriate attire for uniformed personnel will be a long sleeve uniform shirt, uniform trousers, black tie, and uniform hat.
  4. The words cover and uncover are interpreted to be the placing of a hat and the removing of a hat from one's head.
  5. When inside the chapel, the following will apply:
    - a. Honor Guard members posted at the casket will remain covered.
    - b. All other personnel with hats will remain uncovered and will carry the hat under the non-gun side when not seated.
    - c. All personnel, while passing in review, will cover if a military salute is rendered. The Chief of Police, or his designee, will direct whether a salute will be rendered by personnel while passing in review.
  6. When outside the chapel, all personnel wearing hats will remain covered at all times.
- B. Committal Services
1. At a law enforcement funeral, persons in uniform will come to ATTENTION and will execute a military salute at the command, PRESENT ARMS, which will be given:
    - a. Any time the flag is being moved
    - b. When the casket is moved from the site of the funeral/memorial service to the hearse, or from the hearse to the site of the committal service
    - c. During the firing of volleys by the Ceremonial Unit.
    - d. While "Taps" is being played
  2. At a law enforcement funeral, law enforcement personnel not in uniform will place the right hand over the heart at the command, PRESENT ARMS, which will be given:
    - a. Any time the flag is being moved.
    - b. During the firing of volleys by the Ceremonial Unit.
    - c. While "Taps" is being played
- C. The military salute or the right hand over the heart will be held until the command, ORDER ARMS, is given.
- D. In accordance with the military custom, hats will not be removed for prayers, but all personnel will bow their heads, as a sign of respect.
- E. Uniformed personnel will be at ATTENTION, unless directed to move to the position of PARADE REST by the Ceremonial Unit during the outdoor committal service.
- X. Explanation of Funeral Operations and Benefits to the Police Family
- A. To avoid misunderstandings by Police Family Members, only personnel of the Family Support Team are authorized to discuss what benefits the family may be eligible to receive.
  - B. A member of the Family Support Team will contact the family as soon as practical to explain the benefits to which the family is entitled.
- XI. Police Employee's Emergency Contact Form
- A. All members of the Department are encouraged to complete an "Emergency Contact Form".
  - B. Bureau Commanders will remind members that they are encouraged to update their "Emergency Contact Form" anytime a change occurs.
  - C. "Emergency Contact Forms" will be maintained in the computer system.
- XII. Memorial Accounts and Donations

Any member of the Department receiving a donation for the family of a member of the Department who has died will immediately forward the donation to the office of the Chief of Police.

XIII. Death or Injury of a Member of the Department:

Death of A Member



- A. When a member is killed or dies while working, the Watch Commander will:
  - 1. Notify the Chief of Police
  - 2. Notify the Communications Section to mobilize the Police Family Support Team if authorized by the Chief of Police
  - 3. Notify the member's Bureau Commander.
  - 4. Notify the Public Information Officer.
- B. When a member is killed or dies while off duty, and the death is not duty related, the Watch Commander will:
  - 1. Notify the Chief of Police
  - 2. Notify the Communications Section to mobilize the Police Family Support Team if authorized by the Chief of Police
  - 3. Notify the member's Bureau Commander.
  - 4. Notify the Public Information Officer.
- C. When a member is killed or dies whether on or off duty, the Family Support Team:
  - 1. Will be responsible for having the member's police issued equipment and personal belongings collected and inventoried.
  - 2. Will see that the member's police issued equipment is delivered to and signed for by an employee of the Property Room.
  - 3. Will see that the member's personal belongings are delivered to and signed for by the spouse, parents, nearest responsible relative, or by the executor of the estate. If any questions arise concerning who should be given possession of the personal belongings, the City Attorney's office will be consulted.
  - 4. Will forward the two inventory lists and the signed receipts to the Personnel Division.
- D. When a member is killed or dies while working, the Communications Section will send a Teletype concerning the incident to the other law enforcement agencies. When funeral arrangements are set, this information will also be transmitted.

XIV. Injury of a Member

- A. When a member obtains a life-threatening injury while working, the Watch Commander will:
  - 1. Notify the Chief of Police
  - 2. Notify the Communications Section to mobilize the Family Support Team if authorized by the Chief of Police
  - 3. Notify the member's Bureau Commander
  - 4. Notify the Public Information Officer.
- B. When a member is seriously or critically injured while off duty, and not duty related, the Watch Commander will:
  - 1. Notify the Chief of Police
  - 2. Notify the Communications Section to mobilize the Police Family Support team if authorized by the Chief of Police
  - 3. Notify the member's Bureau Commander
  - 4. Notify the Public Information Officer.

EFFECTIVE: January, 1996; REVISED: August, 2003; REVISED: August, 2011



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>315.00 PHYSICAL AND MENTAL WELFARE OF PRISONERS</b>
	<b>Effective Date: January, 2019</b>
	Approved: <u></u> Chief of Police

## I. Policy Statement

**Arresting a person and taking away liberty is a serious function of law enforcement. The Mesquite Police Department insists on fair and proper treatment of all arrested persons in police custody. Employees should strive to be considerate to arrested persons and cognizant of individual's rights. This policy intends to direct employees in how to properly handle arrested persons while in police custody.**

## II. Procedures for Arresting Officer

- A. The arresting officer has the responsibility for the physical and mental welfare of an arrested person until the person is accepted at the Mesquite Jail.
- B. If an arresting officer has any question about the physical or mental state of a person, the arresting officer should consult with a supervisor prior to transporting the individual to the jail. A life threatening or emergency medical or mental condition mandates treatment at a medical facility before a person is accepted at the Mesquite Jail.
- C. Other filing options (citation, file at large, etc.) should be considered by the supervisor if it is felt that the best interest of everyone concerned requires the arrested person receive prolonged treatment at a medical facility.
- D. Arrest of a person undergoing treatment, evaluation, or observation at a medical facility shall not be made without the on-site approval of a lieutenant or above. Under no circumstances will a person be removed from a medical facility "Against Medical Advice" unless that person makes a clear, rational and unconditional informed decision to refuse medical evaluation or treatment. A juvenile, mental subject, or person under the influence of alcohol or drugs shall be considered incapable of making a rational decision to refuse medical treatment. After considering things such as the seriousness of the offense, the lieutenant or above may decide to place a guard on a person until such time as the person is released unconditionally by medical personnel.
- E. If an arrested person states there is a prescription drug that is necessary and must be taken on a regular basis, the arresting officer should make a reasonable effort to locate the medication and bring it with the arrested person to the jail.
- F. No employee shall employ the violent prisoner restraint method commonly known as "hog-tying." No prisoner, under any circumstances, may be restrained by securing their arms and legs together behind their back.

**G.**

H.

I.

Prisoner medications will be stored in the prisoner's locker and secured with their property. Those medications requiring refrigeration will be stored in the jail refrigerator designated for that use.

- J. If the arresting officer knows or suspects that the arrested person has ingested narcotics within the last 12 hours, the arresting officer shall notify the Station Sergeant or Watch Commander as soon as possible.
- III. Procedures for Detention Officer
  - A. The detention officer has the responsibility for the physical and mental welfare of those persons in his/her custody.
  - B. At the beginning of each shift, all detention officers assigned to the jail shall review the paperwork on each prisoner in custody to familiarize themselves with any medical problems and/or medication needs which may exist.
  - C. Paramedics shall be called by the detention officer or other employee to whom a prisoner complains of or appears to suffer from a life threatening or potentially serious medical condition.. The detention officer or other employee noting the complaint or condition shall immediately notify the on-duty Station Sergeant of any prisoner complaining of a life threatening condition. If the Station Sergeant is not available, the Watch Commander should be immediately notified.
  - D. Prisoners exhibiting serious symptoms of withdrawal from substance abuse shall be evaluated by paramedics or at a hospital at intake or onset of symptoms, and at least once every 12 hours thereafter.
  - E. All requests for medical attention or an ambulance received from a prisoner and all complaints received from prisoners regarding a medical ailment or condition, beyond a request for aspirin or similar pain reliever or a prescription medication, shall be reported to the Station Sergeant who will determine how best to proceed.
  - F. Prisoners with minor wounds will be offered the use of first aid supplies kept in the control room. The prisoner will be allowed to cleanse the wound, apply a topical anti-infective and a bandage.
  - G. Prisoners with known or suspected contagious diseases will be isolated and the nature of the disease will be noted on the prisoner's book-in form.
  - H. Medications should be dispensed as per the instructions on the prescription container. Any questions about medications should be referred to the Station Sergeant. If a prisoner needs to call someone to bring medication, extra phone calls may be allowed for this purpose.
  - I. Any medication removed from a prisoner's property for storage in the refrigerator or other area must be clearly marked with a property tag or placed in a property bag identifying it as belonging to the prisoner. A notation will also be made on the prisoner's property sheet showing items removed and place of storage.
  - J. Prisoners who have a medic alert bracelet or necklace will be allowed to retain these items. The information pertaining to a medical disorder is recorded on these items and could be vital to paramedics should the person require emergency medical care.
  - K. Prisoners may retain asthma inhalers and nitro pills in their cells for immediate relief from life-threatening conditions. Any other requests for retention of medication or medical supplies will be determined by the Station Sergeant on a case by case basis.
  - L. The Station Sergeant or other supervisory officer shall be notified immediately of any prisoner exhibiting signs of mental illness or other symptoms indicative of a risk to the prisoner or other persons. The supervisor shall then determine appropriate steps to be taken in resolving the situation.
  - M. A violent prisoner posing an imminent threat of harm to him or herself or to others shall be restrained pending disposition by supervisory personnel.
  - N. Any incident that threatens the Mesquite Jail, or any person therein, will be reported immediately to the Station Sergeant or, in his absence, the Watch Commander. A memorandum detailing the incident will be prepared for the Bureau Commander by the Station Sergeant.



- O. The Station Sergeant will be responsible for noting the medical condition of all prisoners. If a prisoner requires special attention from detention personnel during their stay at the Mesquite Jail, this information will be noted in the "jail" portion of the Spillman application under "medical screening". Also, the prisoner's name and special needs will be posted on the white board in the control booth.
  - P. If any detention officer knows or suspects that an arrested person has ingested narcotics within the last 12 hours, the detention officer shall notify the Station Sergeant or Watch Commander as soon as possible.
- IV. Procedures for Station Sergeant
- A. The Station Sergeant is responsible for the physical and mental welfare of those persons in custody during his/her tour of duty.
  - B. At the beginning of each shift, the on-duty Station Sergeant shall review the paperwork on each prisoner in custody to familiarize themselves with any medical problems and/or medication needs which may exist.
  - C. At the beginning of each shift, the on-duty Station Sergeant shall conduct a visual walk-through inspection of the male and female cellblock areas.
  - D. The on-duty Station Sergeant will personally evaluate each incoming prisoner as soon as practical. The Station Sergeant shall wear a body camera which is recording at the time of the evaluation. The evaluation will include, but not be limited to:
    - 1. An inquiry about any current medical problems.
    - 2. An inquiry about the need for medications.
    - 3. An inquiry about any mental problems.
    - 4. Potential for suicide.
    - 5. An inquiry about whether they have swallowed narcotics.
  - E. The Station Sergeant will be responsible for noting the medical condition of all prisoners. If a prisoner requires special attention from detention personnel during their stay at the Mesquite Jail, this information will be noted in the "jail" portion of the Spillman application under "medical screening". Also, the prisoner's name and special needs will be posted on the white board in the control booth.
  - F. The Station Sergeant or other supervisory officer shall request that the prisoner be examined by MFD paramedics if any question exists as to the prisoner's condition.
  - G. The Station Sergeant may refuse to accept an incoming prisoner who has a serious or emergency medical or mental condition. It will then become the responsibility of the arresting officer to transport the prisoner to the appropriate medical treatment facility.
  - H. If a prisoner in custody becomes ill to the extent that treatment at a medical facility is indicated, the Station Sergeant will consult with the Watch Commander to determine if a guard on the prisoner will be needed. The Watch Commander will consider the seriousness of the offense and other filing options available when he makes his decision.
  - I. In emergency situations, MFD ambulance will provide transport to the hospital deemed necessary by the MFD paramedics. A prisoner being held on Mesquite Class C charges or warrants, who becomes ill to the extent that treatment at a medical facility is indicated, may be "Released to Appear" by the Station Sergeant.
  - J. If a prisoner develops a serious medical condition or becomes ill while being held on another agency's charge, the Station Sergeant has the option to contact the other agency and request immediate transfer or a "Drop Hold Teletype". The prisoner will then be transferred to a medical facility if necessary and the other agency contacted and notified of that location.
  - K. In each instance where a prisoner is transported to a medical facility or released from custody due to medical reasons the Station Sergeant will ensure the narrative of that

prisoner's arrest report is supplemented to adequately document and explain the circumstances requiring such actions.

- L. If the Station Sergeant suspects that the arrested person has ingested narcotics, the Station Sergeant will immediately send the arrested person to a hospital to receive medical attention.



V. General Provisions

- A. Any arrestee against whom force has been required, including but not limited to a carotid restraint hold, a chemical agent, or other force, shall be observed continuously and transported immediately to jail or to an appropriate medical facility. The arrestee shall not be placed in a prone position. The observation period and the prohibition against prone placement shall extend for a minimum of two hours after the use of force.
- B. The Mesquite Police Department will not authorize treatment or assume responsibility for payment of medical expenses for any person transported to a medical facility, regardless of whether that person is in police custody or no longer under arrest. Any officer who transports a prisoner to a medical facility or guards a prisoner transported by ambulance shall advise the facilities staff that the prisoner is the party responsible for all of his or her medical expenses, not the Mesquite Police Department or the City of Mesquite. The officer shall provide the facilities staff with the prisoners address in order to facilitate proper billing. Deviation from this policy will require the authorization of a Bureau Commander, an Assistant Chief of Police or the Chief of Police.
- C. Any employee noting any alteration in a prisoner's physical or mental condition will immediately notify the Station Sergeant or other supervisory officer of the noted change. It shall be the supervisor's responsibility to reevaluate the prisoner and determine if professional care is needed. This reevaluation shall be done on body camera whenever possible.
- D. The following medical conditions warrant close observation of the prisoner, regularly scheduled administration of certain medications or other special attention.
  - 1. Epilepsy: a neurological disorder resulting in seizures during which the prisoner may temporarily lose consciousness and experience muscle spasms (jerking or twitching). During a seizure, the prisoner must be protected from injuring him or herself, clothing around the neck should be loosened and padding placed under the head. DO NOT introduce any liquid or solids into the prisoner's mouth. MFD should be notified immediately. Most epileptics carry or have available anticonvulsant medications which they need to take daily. The most common medications are Dilantin and Phenobarbital.
  - 2. Diabetes: A gland disease resulting in high blood sugar levels. Most diabetics are very familiar with their illness and can advise when and how to take their medications. Many take insulin by injection; mild forms of the disease can be treated with oral medications. Common oral medications used to treat diabetes are Metformin, Sulfonyleureas and Meglitinides. Insulin must be refrigerated. Detention officers should be alert for signs of diabetic coma (insulin shock) in diabetic prisoners. This is caused if too much insulin or too little food is taken. The prisoner may experience faintness, sweating, racing pulse and sudden personality change which can, if untreated, lead to seizures and coma. MFD must be notified immediately if any prisoner known to be diabetic complains of these symptoms.
  - 3. Acquired Immune Deficiency Syndrome (AIDS): A viral disease which causes the body's immune system to cease working. The agent which causes AIDS, Human Immune- Deficiency Virus (HIV) is spread by transfer of bodily fluids between people, most commonly by IV drug abuse, sexual contact or contaminated blood transfusions. Prisoners can be infected with HIV without showing signs of AIDS (drastic weight loss, chronic infections and certain types

- of cancer). Prisoners may advise of AIDS related illnesses such as ARC (AIDS Related Complex), Kaposi's sarcoma (a type of cancer often associated with AIDS) or they may simply state that they are HIV Positive; these will be treated with the same degree of cautions as AIDS proper. Precautions include wearing gloves and disinfecting of areas contacted by the prisoner. Common medications used in treating AIDS and HIV are AZT, Retrovir and HIVID.
4. Hepatitis: Viral infection of the liver. Abusers of IV drugs often have Type B Hepatitis (HBV) which is spread by contaminated syringes or sexual activity with infected persons. Persons with HBV can have an active infection (with high fever, jaundice and weight loss) or can be carriers of the disease in which case they may display no signs of illness. HBV immunization by vaccine is recommended for all detention personnel. Biohazard procedure (gloves, disinfecting of areas contacted by prisoner, isolation cell, marking of cell) will be used in the handling of persons suspected of HBV infection.
  5. Cardiovascular Conditions: High blood pressure and coronary artery disease are often found in older prisoners. It is very important that these subjects take medications prescribed for them on a regular basis. MFD should be notified immediately if a prisoner with high blood pressure complains of dizziness, severe headache or blurred vision. Common medicines used for treating high blood pressure are Bumetanide, Chlorthalidone and Chlorothiazide. Coronary artery disease (angina) is perceived as a sudden crushing or smothering sensation under the breastbone with sharp shooting pain in the chest, back or arms; usually, this occurs in response to physical exertion. Most angina patients carry nitroglycerin (Cardilate, Nitro-bid, Isordil) tablets to relieve these attacks. The prisoner should immediately be given the nitroglycerin and MFD summoned.
  6. Tuberculosis (TB): A chronic, infectious lung disease spread by prolonged personal contact with the infected individual. Primary Tuberculosis may appear as a form of pneumonia; however, many infected persons have no symptoms. Secondary TB is generally not actively contagious through casual personal contact; however a carrier state exists wherein an infected person showing no symptoms of infection can transmit the disease. Prevailing medical opinion suggests that neither form of TB is likely to be transmitted to employees under circumstances encountered in the Mesquite Jail. Persons identifying themselves as having TB should be placed in isolation cells. Medicines commonly used to treat Tuberculosis are Streptomycin, Rifampin, Isoniazid and Iproniazid.

EFFECTIVE: March, 1997; AMENDED: January, 1999; REVISED: August, 2011; REVISED: March, 2013; REVISED: January, 2019



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>316.00 MESQUITE POLICE DEPARTMENT WORKOUT FACILITY</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

- I. **Philosophy**  
 Use of the Mesquite Police Department Workout Facility is a privilege not a right. The workout facility is in place for voluntary use by employees of the department while off-duty or on-duty so they can maintain a healthy level of physical fitness.
- II. **Definitions**
  - A. **Off-duty:** The time when personnel are not being compensated by the department to include uncompensated lunch breaks.
  - B. **On-duty:** Anytime when personnel are being compensated by the department to include compensated lunch or break times.
- III. **Guidelines**
  - A. **Liability Waiver**
    1. Before an employee uses the workout facility, they must sign a liability waiver.
    2. A liability waiver can be obtained from Staff Support and must be returned to Staff Support.
    3. The signed liability waiver will be placed in the employee's permanent personnel file and a copy maintained in Staff Support.
    4. Employees who have signed a waiver will be acknowledging they understand that when using the workout facility, while on-duty or off-duty, the City of Mesquite is not responsible for injuries that occur while working out.
    5. Employees who have signed a waiver will be acknowledging that they have received proper instruction on the use of the fitness equipment.
  - B. **Off-duty Personnel**
    1. May use the workout facility anytime.
  - C. **On-duty Personnel**
    1. Personnel who use the workout facility while on lunch or a break must remember that time is of the essence in both emergency or non-emergency calls. Therefore, all on-duty personnel using the department workout facility must adhere to the following:
      - a. Officers may only remove their duty belt, uniform shirt, and bulletproof vest to work out.
      - b. Officers must have their portable radio turned on while working out and the volume high enough to hear all radio communications.
      - c. Should an officer receive a call, while working out, to return back to duty the officer must be able to dress and respond immediately after receiving the call.
      - d. On-duty personnel will not utilize the shower room.

EFFECTIVE: August, 2004; REVISED: August, 2011

## Release of Liability

I \_\_\_\_\_, for and in consideration of the use of the workout facilities and equipment (hereinafter referred to as the "facilities") provided by the City of Mesquite, hereby release and hold harmless the City of Mesquite, its employees and agents, from any and all liability for injury or any damages that may occur to me as a result of my voluntary use of these facilities. I recognize that these facilities are provided for my use on a voluntary basis only and I assume all risks inherent in such use. I understand and agree that use of the facilities will only be permitted in strict accordance with Department Policy and will not be considered to have occurred in the course and scope of my employment. ACCORDINGLY, I AGREE THAT ANY INJURIES SUFFERED AS A RESULT OF SUCH USE WILL NOT BE CLAIMED AS A WORKER'S COMPENSATION INJURY.

I understand that before using exercise equipment or engaging in any exercise program, I should consult with a physician. I also agree to become familiar with the equipment and its proper use. Instruction on the use of this facility and its equipment are available to me upon request from the Training Section.



All personnel using the workout facilities are reminded to follow all rules pertaining to the use of the equipment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Printed Name and ID# \_\_\_\_\_

**Exhibit No. 300-6 Workout Facility Release of Liability**

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>317.00 CRIME PREVENTION DEPLOYMENT VEHICLE PROGRAM</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">               Chief of Police         </div>

**I. Purpose**

Mesquite Police Department Deployment Vehicle Program is a crime prevention tool to aid in the reduction of criminal activity at a targeted business location. The program will utilize marked police vehicles no longer in service to give the appearance of a police presence at an approved business location that has experienced criminal activity. These vehicles are identified by a specific numbering system which begins with the number [ ]

**II. Program Qualifications:**

- A.
- B.
- C.
- D.
- E.
- F.
- G.
- H.



**III. Program Rules and Regulations**

- A.
- B.
- C.
- D.
- E.
- F.
- G.
- H.
- I.
- J.

- IV. **Penalties:**
- A. Violations of this agreement with the Mesquite Police Department will result in an immediate suspension of the program and forfeiture of the program vehicle.
  - B. Any and all state and federal laws that are violated will be enforced to the fullest extent of the law.

**EFFECTIVE: August, 2004; REVISED: August, 2011**



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>318.00 FIRE EMERGENCY PLAN</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. General Provision
 

To provide all Mesquite Police Personnel with the proper procedures in dealing with Fires and Fire Drills.

  - A. All new employees will attend a mandatory course covering policy and procedures of the Mesquite Police Department, and protocol in dealing with fires and fire drills. The Jail Lieutenant will schedule evacuation drills at least once a year. Procedures for responding to an emergency will be presented to personnel during in-house training.
  - B. The Station Sergeant is responsible for the safety and security of the building and shall be responsible for notifying the Watch Commander of any emergency that may arise during their shift.
- II. Fire and Evacuations
  - A. In the event of a fire, the employee discovering the fire will immediately notify Communications of the fire's location. If the fire is visible, the Mesquite Fire Department will be notified immediately. In a smoke event where no visible fire is observed, Communications will notify the Watch Commander who will investigate and determine the appropriate response. In either case, the Watch Commander will be notified.
  - B. The Watch Commander will:
    - take all necessary action to coordinate and direct the evacuation of the building, if necessary;
    - coordinate the arrival of the Fire Department and direct them to the fire, and
    - take steps to attempt to extinguish the fire if appropriate
  - C. If jail cell evacuation is necessary, the Station Sergeant will coordinate and direct the evacuation of the jail according to the current policy in the Mesquite Police Department Jail Manual. The Station Sergeant will notify the Watch Commander when the jail is completely evacuated of prisoners and department personnel.
  - D. A memorandum will be completed and submitted by the Watch Commander involved in the incident.
  - E. Elevators should not be used if there is a fire. All movement will be carried out via the fire escape stairs. Each employee is responsible for knowing the closest fire escape location from his/her work station.

EFFECTIVE: August, 2011



**400.00 APPEARANCE, UNIFORM & EQUIPMENT**

401.00 Police Vehicles.....	311
402.00 Personal Appearance.....	315
403.00 Firearms Equipment and Training .....	321
404.00 Uniform Accompaniments.....	325
405.00 Training.....	329



**Exhibit**

Exhibit No. 400-1 Uniform Accompaniments.....	327
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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>401.00 POLICE VEHICLES</b>
	<b>Effective Date: July, 2017</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

**I. Policy Statement**

As a modern law enforcement agency, the Mesquite Police Department utilizes various vehicle types to carry out the law enforcement mission. In order to maximize vehicle life and safety for department members, the following procedures shall be followed. Any deviation of this procedure must be at the direction of the Chief of Police or his designee.

**II. Procedure**

**A. Home-storage**

1. To enhance public safety through increased police visibility on the streets of the city.
2. To maximize the quality of vehicle maintenance.
3. To provide quick and effective response to disasters, disorders or other incidents which may require the recall of off-duty personnel.
4. To enhance the ability of the department to provide police service commensurate with the need for such service.
5. Vehicle assignments will be made by the Bureau Commander and approved by the Chief of Police.
6. Vehicle assignment will be made based on:
  - a. job assignment
  - b. seniority
  - c. residence location
  - d. the best interests of the department
7. Violation of any provisions of this order may result in revocation or suspension of off-duty privileges.

**B. Off-duty Operation**

1. Officers are authorized to use home-storage vehicles for personal use within the City of Mesquite, consistent with the provisions herein.
2. Operation of a home-storage vehicle for personal use, including travel to and from work, does not constitute work time or hours worked for purposes of overtime calculation.
3. Each employee of the department utilizing a departmental vehicle shall exercise good judgment and shall not commit any act or omission which would reflect unfavorably on the department or tend to cause the public to lose confidence in the department.
4. No person other than a City of Mesquite employee, or an authorized service or maintenance technician who has a valid Texas driver license, shall be permitted to operate a police vehicle, police radio or other police equipment.
5. Non-police personnel may accompany officers as passengers when the vehicle is being operated off duty. Because the officer is subject to recall to active duty at any time, discretion must be exercised in the transportation of civilian passengers. The officer should consider the following:
  - a. the security of police operations and procedures,
  - b. the welfare and personal safety of the passenger, together with the possibility of related liability,
  - c. the integrity of the passenger.

6. Radio communications shall be maintained at all times while a police vehicle is in operation in accordance with current departmental procedures.
7. The officer shall inform the Communications Center of his availability and shall receive clearance before responding to any call while off duty.
8. The safety of passengers rests solely with the officer operating the vehicle. The officer shall discharge civilian passengers at a safe and convenient location before responding to a call or making an emergency run.
9. An officer operating a police vehicle as an emergency vehicle shall do so in accordance with the current General Order regulating Operation of Emergency Vehicles.
10. An officer in civilian clothing should initiate traffic stops or violator contacts only in order to prevent an ongoing violation constituting an immediate hazard. In most cases, the better practice is to refer violations to a uniformed officer.
11. An officer operating a departmental vehicle off duty shall wear appropriate attire so as to not reflect unfavorably on the department. The officer is responsible for the conduct and personal appearance of passengers who shall meet the same dress standards.
12. The use of safety belts by the officer and passenger(s) is required.
13. Police vehicles shall not be used by officers or passengers who have consumed alcoholic beverages. No alcoholic beverages shall be transported in the vehicle for personal or social purposes.
14. The vehicle shall not be used for carrying heavy or bulky loads. No objects shall be allowed to protrude from the windows or trunk.
15. Two or more officers assigned to attend the same school or meeting out of the jurisdiction shall ride together, if practical.
16. Unattended vehicles shall be locked and properly parked.
17. Officers should be aware of the poor public image presented by the parking of several marked units at any one location. Therefore, no more than three marked police vehicles shall be parked at one location, including on-duty officers, except on official business.
18. A police vehicle may be driven to and from a part-time job within the City of Mesquite, provided the vehicle is not used as part of the employment, unless specifically authorized.
19. A police vehicle shall not be loaned to, or borrowed by, an officer to whom it is not assigned for use at a part-time job.

C. Vehicle Maintenance

1. The officer shall be fully responsible for the general maintenance and proper care of the vehicle, and shall refrain from the following:
  - a. making anything other than minor adjustments, altering the body, general design, appearance or markings of the vehicle,
  - b. using fuel, oil, lubricant or other additives in the vehicle other than the approved departmental issue.
2. Any mechanical or electrical alterations, non-standard equipment, or accessories added to a city owned vehicle must first be approved by the Chief of Police and authorized by the Service Center Superintendent.
3. Colored sealed beams will not be permitted in the spotlight or headlights.
4. All repairs will be performed at the city service center by service center employees, or at a place designated by the service center superintendent.
5. All weapons shall be removed when a police vehicle is left for maintenance or repairs.
6. The officer is responsible for ensuring that all routine maintenance and required service is performed on the vehicle.

7. The officer shall be responsible for the cleanliness and orderliness of the interior and exterior of the vehicle.
- D. Supervision
1. Inspection and supervision of the maintenance and care of a police vehicle is the responsibility of the officer's assigned supervisor.
  2. An off-duty officer operating a police vehicle is subject to supervision by on-duty supervisors.
  3. Any supervisory officer may stop a police vehicle operated by an off-duty officer upon cause that the officer is operating the vehicle contrary to regulations. If corrective action cannot be taken at that time, the vehicle shall be taken to police headquarters by another officer. Deficiencies will be documented in writing by the supervisory officer.
- E. Pool Vehicles
1. The Department shall utilize pool vehicles in addition to Home Storage vehicles to effectively distribute vehicles to the officers that need them.
- F. Officer Responsibility
1. The officer assigned to operate a pool vehicle is responsible for a daily vehicle inspection and shall ensure that:
    - a. All paper, trash, and loose articles are removed from inside the vehicle and water and oil are at acceptable levels. Officer should visually inspect tires for general condition and proper inflation.
    - b. Vehicle will be refueled near the end of shift.
    - c. Visually inspect to ensure that vehicle is equipped with inflated spare tire, jack, first aid kit, fire extinguisher, shotgun, fuses, and other equipment which may be assigned to the unit.
    - d. Check for the operability of vehicle and equipment, to include emergency lights, siren, radio, and fluid levels.
    - e. Visually inspect vehicle and report new damage.
    - f. Unattended vehicles will be secured.
    - g. Supervisors are responsible for periodic inspections of vehicles for policy compliance.
- III. General
- A. No employee shall add any decorative element or other feature which adds to, detracts from, or otherwise changes the appearance of a police vehicle without the written authorization of the Chief of Police. This prohibition includes, but is not limited to: bumper stickers, decals, signs, wreaths, antenna decorations, commercial advertising, etc.
- B. In accordance with state law, department members will use seat belts at all times when operating a departmentally owned or leased vehicle, or while riding as a passenger.



EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: E/84-6, E/86-6; REVISED: January, 1992; REVISED: March, 1994; REVISED: January, 1996; REVISED: March, 1997; REVISED: August, 2011; REVISED: March, 2013; REVISED: July, 2017.

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>402.00 PERSONAL APPEARANCE</b>
	<b>Effective Date: December, 2016</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

**PROVISIONS:**

- I. **Policy Statement**  
The Mesquite Police Department holds employees to professional standards for appearance and safety. The purpose of this policy is to instruct employees on the department's professional appearance code and the use of personal safety equipment following current industry standards.
- II. **Procedures**
  - A. **In Uniform**
    1. The uniform shall be clean, neat and pressed. All buttons shall be buttoned and sleeves shall remain rolled down. Uniform hats and cold weather hats will be issued as part of the uniform inventory, and officers shall ensure these hats are kept clean and wearable. The department will issue each officer a standard uniform hat, cold weather hat and dress hat. The standard issue hat may be worn by plain clothed and uniformed officers during any routine police activity, with the exceptions stated below. As a matter of practice, hats should not be worn indoors. The cold weather hat may be worn at the officer's discretion. Baseball style caps shall not be worn except as part of the bicycle officer uniform as described in (II) (3) (b). No articles shall be worn as part of the MPD uniform unless they have been issued by the Mesquite Police Department or specifically authorized by the Chief of Police.
    2. Uniform classifications are:
      - a. Class A - long sleeved uniform shirt, uniform pants, tie and dress hat. Class A dress is appropriate when attending a funeral or memorial service and for other special events. Class A dress will be mandatory when ordered by a supervisor for special events.
      - b. Class B - short sleeved or long sleeved uniform shirt, or an approved outer vest cover system with street shirt and uniform pants.
        - (1) Departmentally approved shorts may be worn with the department issued uniform polo shirt. The polo shirt and shorts may only be worn together and not with other types of uniform clothing. Departmental hats should not be worn with shorts.
        - (2) When the officer is exposed to the general public, the outer vest cover system must be worn over the issued street shirt.
        - (3) The departmental standard issue uniform hat, cold weather hat or dress hat is approved headwear for this uniform.
        - (4) Shorts are prohibited for those officers assigned to office / indoor positions.
        - (5) Lieutenants and above are prohibited from wearing shorts and outer vest cover systems.
        - (6) Shorts may be worn at any time during the year at the officer's discretion.
    3. **Specialized Units**
      - a. Specialized units may wear alternate attire approved by the Chief of Police.

- b. Department issued caps are approved headwear for officers assigned to the bicycle unit who are wearing bicycle uniforms. Bicycle officers should wear approved safety helmets at all times while actually riding their bicycle.
  - 4. Black leather gear will be kept clean, polished and in wearable condition.
  - 5. Police or military type uniform shoes, boots, tennis style shoes, western style boots, that are solid black in color, round toe, with no visible decorative design or stitching are approved footwear. Footwear will be kept clean and polished. Shoes or ankle high boots are acceptable footwear for the Class B uniform.
  - 6. Excessive jewelry shall not be worn.
  - 7. For the safety of the officer, certain items of jewelry are expressly prohibited, including:
    - a. Earrings, ear screws, ear studs, and other ear decorations; and
    - b. Necklaces (exception: a light-weight necklace may be worn, provided that it is not visible and further provided it will break without causing injury to the officer.)
  - 8. Fraternity pins may be worn with special permission from the Chief of Police.
  - 9. Makeup and fingernail polish for female officers shall be conservative and shall not present a gaudy appearance. Fingernails will be kept at a reasonable length where they will not interfere with the performance of duty.
  - 10. Detention / Desk Officers - Male and Female
    - a. These personnel wear the assigned uniform with the appropriate footwear. Footwear shall be kept clean and polished.
    - b. Excessive jewelry shall not be worn.
    - c. For the safety of the officer, certain items of jewelry are expressly prohibited, including:
      - (1) Earrings, ear screws, ear studs, and other ear decorations; and
      - (2) Necklaces (exception: a light-weight necklace may be worn, provided that it is not visible and further provided it will break without causing injury to the officer.)
    - d. Fraternity pins may be worn with special permission from the Chief of Police.
    - e. Makeup and fingernail polish for female officers shall be conservative and shall not present a gaudy appearance. Fingernails will be kept at a reasonable length where they will not interfere with the performance of duty.
- B. In Civilian Clothing**
- 1. Male Officers
    - a. Bureau Captains and Chiefs - A business suit with a coordinated dress shirt and tie or a conservative western style suit with coordinated shirt and tie are appropriate civilian attire. A sport coat with coordinated slacks or casual pants (Dockers, etc.) with a shirt and tie are also approved.
    - b. Lieutenants, Sergeants, and Police Officers- A sport coat with coordinated slacks or casual pants (Dockers, etc.) and collared style shirt, including a golf shirt, is appropriate civilian attire.
    - c. Belts with large, gaudy buckles are unacceptable.
    - d. Denim clothing is unacceptable.
    - e. Casual Friday - A sport coat with coordinated slacks or casual pants (Dockers, etc.) and collared style shirt is appropriate.
    - f. Excessive jewelry shall not be worn.

- g. Special attire, including the type of clothing that will best meet the circumstances of a special assignment, may be worn with the approval of the Bureau Commander.
  - h. In accordance with the Code of Conduct, Section 3.8, males in civilian clothing will keep their weapon, badge, handcuffs and any other police related hardware that would identify a person as a police officer concealed while in public view.
- 2. **Female Officers**
  - a. A tasteful and conservative dress, skirt/blouse combination, or coordinated pantsuit is appropriate attire.
  - b. Denim clothing is unacceptable.
  - c. Special attire, including the type of clothing that will best meet the circumstances of a special assignment, may be worn with the approval of the bureau Captain.
  - d. Excessive jewelry shall not be worn.
  - e. Makeup and fingernail polish for female officers shall be conservative and shall not present a gaudy appearance. Fingernails will be kept at a reasonable length where they will not interfere with the performance of duty.
  - f. In accordance with the Code of Conduct, Section 3.8, females in civilian clothing will keep their weapon, badge, handcuffs and any other police related hardware that would identify a person as a police officer concealed while in public view.
- 3. **Detention/Desk Officers - Male and Female**

The civilian clothing for male or female detention/desk officers will be that which is approved by the Chief of Police. The guidelines listed in the previous paragraphs for police officers in civilian attire are appropriate for this section.
- 4. **Clerical Personnel**
  - a. A tasteful and conservative dress, skirt / blouse combination, or coordinated pantsuit is appropriate attire.
  - b. Faded or frayed jeans are unacceptable.
  - c. Excessive jewelry shall not be worn.
  - d. Makeup and fingernail polish for female clerical personnel shall be conservative and shall not present a gaudy appearance. Fingernails will be kept at a reasonable length where they will not interfere with the performance of duty.
  - e. Color coordinated tennis shoes are acceptable footwear, so long as they are not unusual, gaudy, or exotic.
- 5. **Public Safety Dispatchers**

Public Safety Dispatchers whose assignments do not involve direct public contact may dress in a more casual manner. However, t-shirts, sweatshirts, sweatpants, faded or frayed jeans, shorts, short dresses or skirts, and skorts, are not approved attire. Open toed shoes commonly called "flip-flops" are unacceptable. Unsoiled and neat tennis shoes are acceptable footwear. Beards and goatees are allowed for male dispatch personnel. They must be neatly trimmed and groomed. Facial hair may not exceed one inch in length.
- 6. **Court Appearances**

While appearing in court as a representative for the police department, police department personnel, sworn or civilian, will dress appropriately. A uniform, a business suit with a dress shirt and tie, a sport coat, shirt and tie and slacks are appropriate attire for male personnel. A uniform, tasteful and conservative dress, skirt / blouse combination or coordinated pantsuit is appropriate attire for female

personnel. A Class B Summer Uniform or Utility Uniform is not appropriate attire for court appearances.

### III. Hair Standards

#### A. Male Personnel in Uniform

1. Hair will be neatly trimmed at all times. Hair will not extend below the top of the earlobe. Hair may reach to, but not below, the top of the collar as measured while the officer is in a standing position.
2. Hair shall not protrude more than one and one-half inches from the scalp. Hair will not be worn in exotic or pretentious styles including, but not limited to: mohawks, cornrows, dreadlocks, etc.
3. Sideburns must be straight and will not extend below the lower part of the earlobe. Bushy sideburns are not acceptable.
4. Mustaches will be neatly trimmed. Mustaches will not extend below the corners of the mouth. Long, bushy, mustaches are not acceptable.
5. Beards are not acceptable for sworn personnel.

#### B. Female Personnel in Uniform

1. Hair will not be worn in exotic or pretentious styles including, but not limited to: cornrows, dreadlocks, pigtails, or large bouffants. Hair will not extend below the bottom of the yoke on the officer's uniform shirt. It will be measured while the officer is in a standing position.
  - a. Ponytails should not extend past the yoke of the shirt or 6 inches below the collar whichever is longer.
  - b. Ponytails must be neat and secured and not straggly.
  - c. Items used to secure ponytails should be unobtrusive and black or blue in color.
2. Long hair may be worn up in an attractive manner if it is neat and permits the wearing of a hat. Straggling hair is not acceptable.
3. Items used to hold the hair in place will be concealed as much as possible. These items will be of an inconspicuous color and style.

#### C. Male Personnel in Civilian Clothing

1. Hair standards are the same as officers wearing a uniform, except as provided herein.
2. Hair standards for personnel working undercover, vice control or special assignments will be at the discretion of the Bureau Commander.

#### D. Female Personnel in Civilian Clothing

These officers may wear their hair in longer, more contemporary styles. However, the length of the hair will not extend more than six inches below the top of the collar while the officer is on duty.

### IV. Neatness, Taste and Modesty

- A. Standards for neatness will be enforced. Supervisors will be held responsible for the appearance of personnel under their command.
- B. Appropriate regard for taste and modesty will be maintained.
- C. Tattoos, body art, or exotic piercings may not be visible while in uniform or while on duty in civilian clothing.

### V. Body Armor

#### A. Soft Body Armor

1. All Sworn Personnel will be issued a bullet resistant vest.
2. All officers assigned to a uniformed function are required to wear body armor while engaged in field activities. This includes departmentally approved part-time jobs.
3. Plain clothed officers making contact with suspects in field activities are required to wear their protective vests.



4. Field activities refer to tasks that occur outside of the Police Department and tasks that could place officers in situations where they would be required to act in an enforcement rather than administrative capacity.
  - B. Hard Body Armor
    1. All tactical unit officers will be issued a bullet resistant vest that exceeds the coverage of soft body armor.
    2. Tactical Officers are required to wear the body armor on tactical utilizations according to current department training and tactics.
  - C. Special Body Armor
    1. Special carriers, vests, or designs may be approved for wear by the Chief of Police for officers assigned to investigation or negotiation positions.
    2. In order to maintain uniformity of appearance, patrol officers may only wear the rifle plate carrier system issued by the department. Plate carriers will not be worn as a matter of routine patrol.
  - VI. Reflective Vest
    - A. All officers shall be issued a reflective traffic vest meeting the current ANSI/ISEA standard.
    - B. The reflective vest shall be worn as soon as practical while the officer is directing traffic or working at the scene of an accident, where the officer is at or near a roadway.
    - C. Officers are required by Federal law to wear reflective vests on any federally subsidized highway.
  - VII. Non-Issued Equipment
    - A. Non-issued firearms, weapons, clothing and accompaniments must be approved by the Chief of Police through his designee prior to use by officers. The designee for firearms and weapons approval is the Range Master. The designee for clothing and accompaniments is the Property Room Sergeant.
  - VIII. Modification of Order

The guidelines contained in this order may be modified by special order of the Chief of Police as circumstances warrant.
- EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: E/79-40, E/86-40; REVISED: January, 1996; REVISED: July, 2000; REVISED: January, 2002; REVISED: August, 2003; REVISED: October, 2006; REVISED: August, 2011; REVISED: March, 2013; REVISED: August, 2013; REVISED: December, 2013; REVISED: July, 2016; REVISED: December, 2016

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>403.00 FIREARMS EQUIPMENT AND TRAINING</b>
	<b>Effective Date: May, 2016</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

**I. Policy Statement**

The Mesquite Police Department requires officers to maintain the highest standards of firearms maintenance and training. Firearms safety is paramount on any firing range or field deployment and each officer should consider it their personal responsibility to keep those around them safe while training or deploying their weapons.

**II. Definitions**

- A. **Firearm-** Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance.
- B. **Primary Range Master-** That range master assigned to the Mesquite Police Firearms range on a full-time basis.
- C. **Assistant Range Master-** Includes all persons currently designated by the Chief of Police to operate the Mesquite Police Department firing range.
- D. **On-duty firearm-** A firearm designed and intended for primary or secondary carry by an officer while on duty. It includes any firearm carried while on-duty in plain clothes.
- E. **Off-duty firearm-** A firearm carried while off-duty for the purpose of defense of self or another person. Off-duty firearms include all firearms carried by the off-duty officer for the purpose of defense of self or others.
- F. **Primary firearm-** A firearm carried while on duty which is intended to be the first firearm utilized in a use of force situation.
- G. **Secondary firearm-** A firearm carried while on duty which is intended to be the second or backup firearm utilized in a use of force situation.

**III. Firearms Safety**

- A. Officers are responsible for the operation, safe handling, safe carrying and proper maintenance of all firearms in their control at all times.
- B. The firearm may be readied for use in situations where it is anticipated a firearm may be required with the officers trigger finger alongside the frame of the firearm and at no time should the officer's finger touch the trigger until the officer makes the conscious decision to fire.
- C. Loaded firearms, other than an officer's handgun(s) carried in a holster or secured in another manner, such as a briefcase or backpack, shall not be carried into any police facility.
- D. Shotguns and rifles will be loaded and unloaded outside of buildings and vehicles except in exigent circumstances. While on duty, shotguns will be secured inside the police vehicle in the trunk or locking shotgun rack in car-carry condition with the magazine tube loaded on an empty chamber, with the action unlocked and the firearm on safe.
- E. Safety rules will be posted at the Firearms Range: Unsafe acts, practices, or conditions are prohibited. The Range Master or Assistant Range Master, shall report any unsafe acts, practices, or conditions occurring at the firearms range through the Staff Support chain of command.
- F. When conducting any firearms training at the Firearms Range, the only place to load or unload is the designated clearing barrels or on the firing line, when instructed to do so by the Range Master.
- G. The firearms range is available for use by commissioned Mesquite Police Department personnel at times other than scheduled training sessions; however, a Range Master must

be on-site. The officer is responsible for safety, damage occurring during the use of the range, and cleanliness of the range. Personnel wishing to utilize the range at times other than scheduled training sessions may contact the Range Master to schedule a time.

- H. Use of the Firearms Range by persons other than officers of the Mesquite Police Department is authorized only by permission of the Chief of Police or his designee.
- I. While off duty, firearms shall be secured in the trunk or removed from the police vehicle. Vehicles that contain firearms must be locked.

#### IV. Firearms Proficiency and Maintenance

- A. Handguns, rifles, shotguns and special firearms will be inspected a minimum of two (2) times per calendar year by the Range Master or designated armorer for mechanical functioning and cleanliness.
- B. Officers must demonstrate proficiency with all firearms intended to be carried for the purpose of being utilized in a use of force situation.
- C. Proficiency demonstrations must include the ability to clear malfunctions during firing and the ability to field-strip and reassemble all firearms used.
- D. Each officer shall ensure that their on and off-duty firearms are clean and functional at all times while being carried.
- E. It is the responsibility of the officer to ensure that their ammunition is fresh and effective. Officers shall exchange their duty ammunition once every (6) six months to ensure it is fresh and working properly.
- F. Officers carrying personal firearms shall replace the on-duty ammunition every (6) six months. Documentation of purchase shall be produced upon request.
- G. Damaged city issued ammunition will be replaced by the Range Master as needed.
- H. If the Primary Range Master determines that a make or model of firearm is inherently unsafe, he will deny in writing, an officer's authorization to carry the firearm. The Primary Range Master's decision is subject to review through the chain of command; however, his decision shall stand until overruled by a higher authority.
- I. The Primary Range Master will maintain a current list of the make, model, caliber and serial number of every firearm, whether city-issued or personally owned, carried in an on or off-duty capacity by all officers of the department. Each officer is responsible for ensuring that complete information regarding his personally owned duty handgun is supplied to the Primary Range Master.

#### V. Handgun Standards

- A. The department issued handgun for on-duty use is a [ ]
- B. [ ]

#### VI. Rifle Standards


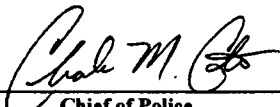
- A. The department issued rifle for on-duty use is a [ ]
- B. [ ]



- C. A decision of the Primary Range Master regarding authorization to carry a personally owned rifle is subject to review through the chain of command; however, his decision shall stand until overruled by higher authority.
  - D. While on duty, officers who have a locking rifle rack installed in their vehicle may carry a rifle inside the passenger compartment, locked in the carrier unless exigent circumstances require the rifle to be carried in a more accessible location; otherwise the rifle will be carried in the trunk. While on-duty, rifles shall be stored in car-carry condition with a loaded magazine, on an empty chamber, with the firearm on safe.
  - E. Fully automatic firearms, other than departmentally owned firearms utilized by the tactical team, are prohibited.
  - F. Rifles shall not be used as primary firearms on routine patrol responses such as traffic stops, alarm calls, building searches, etc.
  - G. Officers are required to exchange their rifle ammunition and have their rifles inspected twice a year.
- VII. Training Standards
- A. Each officer shall qualify at least (3) three times per calendar year with their primary handgun. Each qualification shall take place in a separate calendar quarter. At least (1) one qualification shall take place at nighttime. The minimum for qualification will be 70 percent.
  - B. Each officer shall qualify at least (1) one time per calendar year with the shotgun.
  - C. Officers shall qualify twice per year with the rifle, once in each six month period. The minimum for qualification will be 90 percent.
  - D. An officer who chooses to carry a secondary firearm will qualify with that firearm at least once a year.
  - E. The Primary Range Master or Assistant Range Master will be responsible for firearms qualification, scheduling, proficiency and marksmanship grading.
  - F. Documentation will be completed by the Range Master on all qualifications.
  - G. In the event an officer does not meet minimum qualification, a memorandum will be sent to the Chief of Police by the Range Master, advising the need for additional training.
- VIII. Firearm Accessories
- A. Prior to the attachment of any non-issued equipment on a firearm that is carried on-duty the officer must first seek approval of the Primary Range Master.
  - B. Primary Range Master will maintain a list of approved supplemental attachments for firearms carried on-duty.
    - 1. Sights must be of good construction and not hinder drawing the firearm from the holster.
    - 2. Firearms equipped with laser aiming devices will not be approved.
    - 3. Firearm mounted lights must be of strong construction, must attach directly to the rails of the firearm and function without placing the operators hand in front of the muzzle.
      - a) Firearm light operating switches must not require the use of the primary shooting hand to operate.
      - b) On handguns, the switch to operate the light must rotate on an axis and may not be a push button type.
      - c) Grip mounted firearm light switches are prohibited on all firearms.
  - C. Holsters must be of good construction and must be approved by the Primary Range Master.
    - 1. Friction only holsters are not allowed for patrol use. Friction holsters are allowed for plain clothes.
- IX. Ammunition

- A. The Primary Range Master will maintain an approved list of ammunition for all on-duty. Hand loaded, reloaded or ball ammunition will not be approved. Use of ammunition which is not on the current approved list, other than for training purposes is prohibited.
  - B. Officers will be responsible for supplying the ammunition for the qualification of off-duty weapons.
  - C. Officers who carry firearms of a caliber other than that of departmental issue may be required to provide their own ammunition for qualification and duty use. Such ammunition shall meet minimum standards prescribed by the Chief of Police.
- X. Compensation:
- A. The firearms qualification schedule will be designed to allow officers to qualify while on-duty to the maximum extent possible. At times when an officer cannot qualify while on-duty, he will be eligible for overtime pay or compensatory time for up to three required handgun qualifications, two required rifle qualifications and one required shotgun qualification per year. Compensation will not be granted for optional firearms qualifications.
  - B. Officers are not required to carry secondary or off-duty firearms. Compensation for training and qualification with those firearms will not be granted.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: E/86-43, E/84-43; REVISED: January, 1992; REVISED: January, 1996; REVISED: March, 1997; REVISED: March, 2004; REVISED: October, 2006; REVISED: August, 2011; REVISED: March, 2013; REVISED: May, 2016

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>404.00 UNIFORM ACCOMPANIMENTS</b>
	<b>Effective Date: May, 2017</b>
	<b>Approved:</b>  _____ Chief of Police

- I. Uniformed police personnel shall wear the standard-issue police uniform.
  - A. Portions of the police uniform shall not be worn with civilian clothing. For example, the police jacket shall not be worn with civilian clothing, nor shall the uniform trousers be worn with a civilian shirt.
  - B. The Chief of Police may authorize certain alternate items, such as light-weight jackets or windbreakers, which may be worn in lieu of the standard-issue uniform. A current list of such authorizations will be maintained in the Police Administrative offices and in the Watch Commander's office.
- II. Active members of the Police Honor Guard are authorized to wear the additional accompaniments of the honor guard uniform while performing an honor guard assignment.
- III. Specialized Shoulder Patches
  - A. Active members of the Tactical Unit are authorized to wear the Mesquite Police Department Tactical shoulder patch accompanied by a standard MPD Tactical Unit Patch. Personnel who are not currently active members of the primary or backup tactical teams are not authorized to wear a tactical designation.
  - B. Active members of the Special Response Team are authorized to wear the Mesquite Police Department S.R.T. shoulder patch. Personnel who are not currently active members of the Special Response Team are not authorized to wear a S.R.T. designation.
- IV. Uniform accompaniments, such as bars, medals, pins, insignia or jewelry, shall not be displayed on the uniform except as authorized by the Chief of Police.
  - A. Currently authorized uniform accompaniments include:
    1. Mesquite Police Badge
    2. Mesquite Police Nameplate
    3. MPD Collar Insignia
    4. Meritorious Conduct Bars (those awarded by the Mesquite Police Department)
    5. Mesquite Police Department Shoulder Patch
    6. Mesquite Police Department Rank Insignia
    7. FTO Bar (current MPD Field Training Officers only, the bar becomes a permanent award for FTOs with three years or more service)
    8. H.N.T. Bar (current MPD Hostage Negotiation Team Members only, the bar becomes a permanent award for team members with three years or more service)
    9. D.R.E. Bar (For Drug Recognition Experts who maintain their certification)
    10. The Police Honor Guard Bar (to active members with one year service; the bar becomes a permanent award for members with three years or more service)
    11. Explorers Post Advisor pin (current Explorer Post #145 advisors only, the bar becomes a permanent award for members with three years or more service)
  - B. The Chief of Police may authorize additional insignia to be worn, either on an individual approval basis or on a department-wide basis. A current list of such approvals will be maintained in the Police Administration offices and in the Watch Commander's office.
  - C. Meritorious Conduct Bars will be worn over the officer's right shirt pocket, above the nameplate, in the order of precedence. The higher-ranked bars will be worn to the officer's left closest to the heart. Lower-ranked bars will be worn to the right of and below the higher-ranked bars (refer to 400-1). The only exception would be bars of inconsistent shape or design such as the marksmanship bar. These bars may violate the

order of precedence rule in order to achieve a symmetrical design. Meritorious Conduct Bars will be worn only in the manner shown in exhibit 400-1. Subsequent identical bars may be worn, the exception to this rule will be subsequent driving bars and attendance bars – only the bar showing the greatest longevity will be worn.

**D. The order of prominence:**

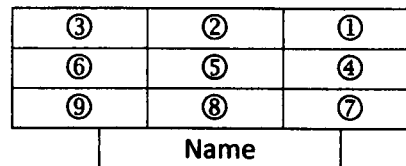
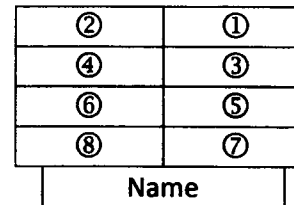
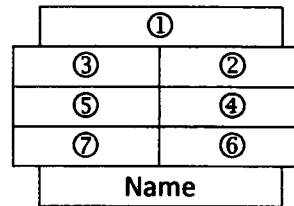
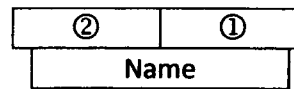
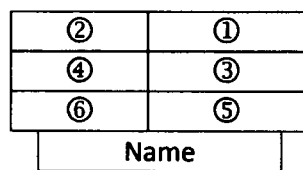
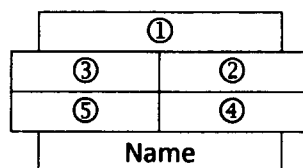
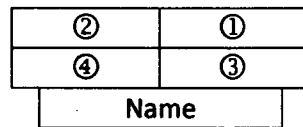
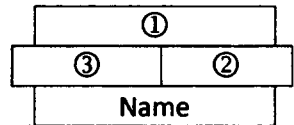
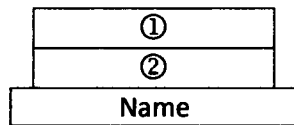
1. The Medal of Honor
2. The Police Cross
3. The Medal of Valor
4. The Meritorious Conduct Bar
5. The Police Commendation Bar
6. The Life Saving Bar
7. The Police Shield
8. The Certificate of Merit
9. The Police Officer of the Year Award
10. The Certificate of Civic Achievement
11. The Marksmanship Bar
12. The Safe Driving Bar
13. The Perfect Attendance Award
14. The Years of Service Bar
15. The F.T.O. Bar
16. The H.N.T. Bar
17. The D.R.E. Bar
18. The C.S.I. Bar
19. The Honor Guard Award
20. The Explorers Post Advisor Pin

**E. The awards, when worn as a group, may be mounted to a black plastic or black, silver or gold metal holder (worn outside the shirt) or a cardboard or plastic backing device (worn inside the shirt). These backing devices will be provided by the officer.**

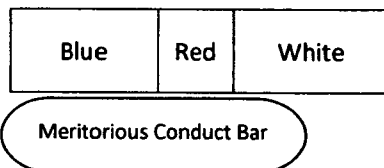
**F. Exhibit 400-1 shows examples of how bars will be displayed on the police uniform.**

**When displaying more than nine bars utilize the adopted standard. For example: ten bars would be three rows of three with one on top. Thirteen bars would be four rows of three with one on top and so on.**

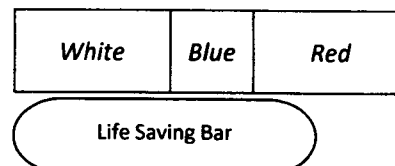
**EFFECTIVE: September, 1990; REVISED: January, 1992; REVISED: January, 1996; REVISED: July, 1997; REVISED: August, 2003; REVISED: August, 2011; REVISED: July, 2016; REVISED: May, 2017**



The Meritorious Conduct Bar will be worn with the blue field to the left and the white field to the right as viewed by an individual facing the uniformed employee





The Life Saving Bar will be worn with the white field to the left and the red field to the right, as viewed by an individual facing the uniformed employee



**Exhibit No. 400-1 Uniform Accompaniments**

( )

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>405.00 TRAINING</b>
	<b>Effective Date: December, 2013</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**I. Policy Statement**

The Mesquite Police Department adheres to all federal, state, local, and TCOLE rules governing training. This policy will dictate what training each employee shall receive and how to document that training.

**II. Procedure**

**A. Training records**

1. Training records in the Mesquite Police Department are kept in accordance with TCOLE rules.
2. Training records are maintained for those employees whose position requires in-service training or certification.
3. The training records for sworn personnel and Public Safety Dispatchers will be kept using TCLEDDS and some records are kept in the respective departmental files.
4. The training records for non-sworn personnel will be kept in the employee's departmental file.

**B. Supervisor Training**

1. All newly promoted sergeants must have training appropriate to their rank or position within 12 months of promotion.
2. Lieutenants, Captains, and Assistant Chiefs are required to attend or be scheduled for rank related training within 12 months of their appointment.
3. Newly appointed supervisors in non-sworn positions are required to receive job based training within 12 months. This training should relate to supervision at the position assigned.
4. The Chief of Police determines what training is acceptable.

**C. Background Investigators**

1. Officers assigned applicant background investigations must have training prior to conducting applicant backgrounds. This required training will be overseen by the Staff Support Bureau Captain to ensure the completeness of the training session and quality of the background investigation.

**D. Investigators Training**

1. Any officer conducting interrogations for criminal cases shall receive training in the proper methods related to interrogations.
2. Ensuring that investigators have received this training is the responsibility of the Criminal Investigations Bureau Captain.

**E. Training of Non-Sworn Employees and Volunteers**

1. Non-Sworn positions are designated as:
  - a. Public Safety Dispatchers and Supervisors
  - b. Detention Officer
  - c. Records Supervisor
  - d. Records Clerk
  - e. Office Coordinator
  - f. Administrative Aide
  - g. Executive Secretary
  - h. Payroll Technician

- i. Administrative Secretary
- 2. All non-sworn positions require TLETS training and certification as required by TLETS training guidelines.
- 3. All Public Safety Dispatchers are required to meet the current TCOLE requirements for the Telecommunication position.
- 4. Police Department Volunteers
  - a. All volunteers utilized within the Mesquite Police Department will be graduates of the MPD Citizen's Police Academy and will have basic NCIC/TCIC training.
  - b. Mesquite Police Volunteers may receive task specific training in areas of their interest. This training will be documented by the MCPAAA liaison within the department.
  - c. Volunteer activities are coordinated by the Mesquite Citizen's Police Academy Alumni Association (MCPAAA).
- F. Field Training Officers
  - 1. All Field Training Officers (FTO) will attend an FTO school. New FTOs are required to attend a TCOLE approved instructor's school.
  - 2. A process review of the FTO program will be completed annually in an open session of FTO's Training Sergeant.
  - 3. Documentation will be in the form of a memo to the Staff Support Captain outlining the subjects reviewed and the results of the review.
- G. Self Aid / Buddy Aid Training
  - 1. All sworn officers will receive self aid/buddy aid (SABA) training once every two years.
  - 2. All tactical officers will be trained and carry SABA equipment on their person when deployed in a tactical capacity.

EFFECTIVE: March, 2013; REVISED: December, 2013





**500.00 EXTERNAL RELATIONSHIPS**

501.00 City Equipment Malfunctions .....	333
502.00 Incidents on Eastfield College Campus .....	335
503.00 Operations Outside Mesquite City Limits.....	337
504.00 Mesquite Police – Mesquite ISD Procedural Guidelines .....	339
505.00 Boarding of Prisoners.....	341

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>501.00 CITY EQUIPMENT MALFUNCTIONS</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

**PROVISIONS:**

- I. Traffic Signal Lights
  - A. All signal malfunctions should be reported to the Service Center Dispatcher.
  - B. Upon a determination the malfunction constitutes an immediate hazard, the observing officer shall provide traffic direction as required and shall notify the Communications Center.
  - C. Upon notification of a malfunctioning traffic signal, Communications personnel shall notify the Service Center Dispatcher who will contact a technician.
- II. Street Lights
  - A. Upon observation of a malfunctioning street light, a police officer shall report such malfunction to the Communications Center.
  - B. Communications personnel will notify the responsible parties of outages.

EFFECTIVE: May, 1984; REVISED: January, 1990; FORMERLY: F/84-7, 74-7, Patrol Directive #25;  
 REVISED: January, 1992; REVISED: June, 2005; REVISED: August, 2011



	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>502.00 INCIDENTS ON EASTFIELD COLLEGE CAMPUS</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">           Chief of Police       </div>



**PROVISIONS:**

- I. Incidents on City of Mesquite Leased Area
  - A. The Mesquite Police Department has primary enforcement responsibility at all times on that portion of the campus leased by the City of Mesquite and used by the Mesquite Soccer Association. This responsibility will exist whether soccer games are in progress or not. The leased area is generally located west of the campus buildings and north of the La Prada Drive access road.
- II. Incidents on Campus Property other than Leased Area
  - A. Crimes Against Persons  
The Eastfield College Police Department shall have primary responsibility for the investigation of crimes against persons offenses. The Eastfield College Police Department will request assistance on certain major offenses such as murder, rape, robbery, etc. The Mesquite Police Department will assume the lead role once such a request is received.
  - B. Crimes Against Property/Motor Vehicle Thefts  
Responsibility for crimes against property and motor vehicle theft investigations shall be the same as that for crimes against persons investigations as described in Provision A.
  - C. Traffic Accidents  
The Eastfield College Police Department has the primary responsibility for investigating minor traffic accidents. Accidents resulting in serious injury or death of any person will be investigated by the Mesquite Police Department upon request of the Eastfield College Police Department.
  - D. General  
The Mesquite Police Department has moral and legal obligations of providing police services to any person in our community needing assistance. A person having a police problem will almost always turn to the local municipal police force for help. In our case the citizen may not realize the campus police officer is commissioned and capable of providing the service needed most of the time. For example, you may respond to a call where the victim has had property stolen on campus and gone home before calling the police. Tactfully, explain that as a matter of mutual agreement between the two agencies, the Eastfield College Police Department will take and work offenses of this classification. If the complainant insists and/or you believe the best interest of all concerned parties will be served by taking a report, then by all means take it.  
The Mesquite Police Department operates primarily in a supportive role on campus matters, although there are a few situations requiring more direct involvement of our personnel. The Eastfield College Police Department will continue as they have done in the past to work their own calls for service and offenses except in cases exceeding their manpower and technical capabilities.  
As a matter of professional courtesy, the Eastfield College Police Department is to be notified each time a Mesquite police officer responds to a call for service on campus, other than on the leased area.

EFFECTIVE: May, 1984; REVISED: January, 1990; FORMERLY: F/84-36, 78-36; REVISED: August, 2011

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>503.00 OPERATIONS OUTSIDE MESQUITE CITY LIMITS</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>

**POLICY:**

Mesquite Police personnel who perform a police function outside the City of Mesquite will ensure that the appropriate law enforcement officials of that jurisdiction are informed in advance of the operation. All operations, including surveillances and the service of search or arrest warrants, are to be reported.



**PROVISIONS:**

- I. The local law enforcement agency shall be informed of:
  - A. the nature of the operation,
  - B. the number of officers involved,
  - C. whether officers are uniformed or non-uniformed,
  - D. official vehicles, descriptions, and
  - E. the anticipated time and duration of the operation.
- II. The notification shall in all cases be made to the communications center of the local agency. In addition, specific divisions, units, or individuals of that agency may be notified at the discretion of the officer conducting or in charge of the operation.
- III. A lieutenant or higher may authorize deviation from the provisions of this order, where warranted. The justification for such deviation must be documented in a memorandum to the Chief of Police, Mesquite Police Department.
- IV. Other law enforcement agencies will be encouraged to notify the Mesquite Police Department of operations in this city. The Dallas Police Department instituted such a policy on September 2, 1982. Notification of operations by other agencies in Mesquite should be passed along to the affected district officer and field sergeant by telephone, MDC Message or other secure means of communication.

**EFFECTIVE:** May, 1984; **REVISED:** January, 1990; **FORMERLY:** F/84-50, 82-50; **REVISED:** August, 2011







	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>504.00 MESQUITE POLICE – MESQUITE ISD PROCEDURAL GUIDELINES</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. General
  - A. The Deputy Superintendent or his designee will serve as the Mesquite Independent School District's liaison with the Police Department.
- II. Students
  - A. The School District will immediately inform the Police Department's assigned School Resource Officer when school personnel confiscate any controlled substances, the SRO will pick up the confiscated substance as soon as possible. In the absence of the School Resource Officer, the police department's liaison will be contacted to make the appropriate disposition of the substance in accordance with standard operating procedures. The School District personnel may or may not request prosecution of a criminal case.
  - B. If an offense is reported to the Police Department, the incident will be evaluated for investigative potential.
  - C. Any contact with a student at school by the police department will be coordinated through the School Resource Officer or principal.
  - D. Interviews with elementary students will be conducted after school hours, where feasible. The presence of an MISD administrator should be requested at any interview of an elementary student which takes place at a school.
  - E. The Family Code generally prohibits the release by the Police Department of the name of a juvenile offender, except as required by Section 15.27, Code of Criminal Procedure. CID personnel shall make the notifications mandated by CCP Section 15.27. The Dallas County District Attorney may be able to release names under some circumstances.
  - F. A Police Officer may take a child into custody with or without a warrant. When a student is removed from school, the officer shall sign a release form or the standard school sign-out log. The officer shall promptly give notice of his action to the child's parent, guardian, or custodian in accordance with the Family Code. (Reference Juvenile Guidelines and Policies, General Order No. 207.00)
  - G. The School District's liaison will inform the Police Department of any school-related case involving serious bodily injury.
- III. Personnel
  - A. Both the Police Department and the School District recognize the delicacy of charges filed against a teacher. Such charges can severely impact a teacher's effectiveness as a professional educator.
  - B. If an inquiry from a parent involves office discipline, the parent will be referred to the School District.
  - C. If an allegation against a School District employee does not involve office discipline, the School District will work with the Police Department to resolve the allegation.
  - D. Two Mesquite Police Department supervisors with the rank of lieutenant or above will review a complaint before any action is initiated on a school-employee related investigation. The MISD liaison will be made aware of any school-employee related investigation. The School District will grant access to district employees.
  - E. Covert or undercover investigators will be enrolled in the MISD school system only upon concurrence of the Superintendent of Schools and the Chief of Police.

EFFECTIVE: May, 1984; REVISED: January, 1990; FORMERLY: F/84-51, 83-51; REVISED: January, 1992; REVISED: August, 2011

	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>505.00 BOARDING OF PRISONERS</b>
	<b>Effective Date: September, 1990</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. The Mesquite Police Department will not accept prisoners from other agencies, for the purpose of housing them in the Mesquite Police Department's Jail, unless one or more of the following conditions exist:
    - A. The Mesquite Police Department has a valid charge or outstanding warrant against the prisoner.
    - B. The Mesquite Police Department is actively investigating an offense in which the prisoner is a suspect or potential informant, and the boarding of the prisoner would facilitate the investigation.
  - II. Emergency conditions may justify temporary deviations from this directive. Such deviation will require specific approval of the Chief of Police, or, in his absence, an Assistant Chief of Police.
- EFFECTIVE: September, 1990**

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**600.00 MISCELLANEOUS/OTHER**

601.00 Political Activity .....	345
602.00 Employee Transportation .....	347

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	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>601.00 POLITICAL ACTIVITY</b>
	<b>Effective Date: January, 1992</b>
	Approved: _____ <div align="center">   <b>Chief of Police</b> </div>



**PROVISIONS:**

- I. Employees in the police department shall not be permitted to take an active part in any political campaign if they are in uniform or on active duty.
- II. An employee wearing or displaying uniform clothing furnished by the police department will be considered in uniform.
- III. The use of city equipment in an election tends to create an adverse reaction among the citizens and must be avoided. City of Mesquite vehicles shall not be used in promoting a particular political candidate, philosophy, or position. Use of a city vehicle for travel to and from meetings held for political purposes is prohibited.

EFFECTIVE: May, 1984; REVISED: January, 1990; FORMERLY: 74-4, G/84-4; REVISED: January, 1992





	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>602.00 EMPLOYEE TRANSPORTATION</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. The purpose of this order is to establish regulations regarding the Mesquite Police Department's policy of providing transportation to and from work for employees of the department.
- II. This order shall apply to Mesquite Police Department personnel not assigned a home storage vehicle that must provide their own transportation to and from work.
- III. The police department will not provide transportation to or from work for employees of the department. All police employees who are not assigned a home storage vehicle shall furnish their own transportation. Exceptions are emergency, unforeseen or unusual situations over which the employee has no control and has not had time to make arrangements for transportation. In these cases, a supervisor may permit transportation to be furnished.

EFFECTIVE: May, 1984; REVISED: January, 1990; FORMERLY: G/84-18, 76-18, 20; REVISED: January, 1992; REVISED: August, 2011

